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NOTES ON ROLL 17

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The first volume contains the minutes of the Court from April 25, 1887, to January 23, 1888; the second, from January 23 to November 19, 1888; and the third, from November 19, 1888, to May 13, 1889.

VOLUME

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	William Milne, Executor of William M. Wilson, deceased,	In Error to the Circuit Court of the United States for the Southern District of New York.
189.	vs. Plff. in Error;	
	Ann Maria Deen.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

	Charles W. Boynton,	In Error to the Su.
187.	vs. Plff. in Error,	preme Court of the
	Clowden H. Ball.	State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Gray.

219. Luigi Filiberto, Frederick Filiberto, Franklin Rolfe and Frederick Guild Jr., vs. The Barque "John H. Pearson", Hiram Taylor, Claimant. Appellants

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Waite.

252. Eugene L. Sullivan, Collector of Customs of the Port of San Francisco, vs. Alexander Balfour, Stephen Williamson, Alexander Guthrie, Robert Balfour and Robert B. Forman, partners under the firm-name of Balfour, Guthrie & Company. Pltff. in Error

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of California; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Chief Justice Waite.

1325. Caroline Carson vs. C. J. Dunham. Appellant

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South

Carolina and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

140. The Helena Bridge Co. vs. Appellant Z. King & Son. On consideration of the motion to recall the mandate issued herein, to reinstate the cause on the docket and for leave to supply a full record, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

906. Andrew B. Cross, vs. Appellant Guy C. Sabin et al. On consideration of the motion to rescind the decree of dismissal herein and to restore the case to the docket, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Stephenson Walters, Adm'r. &c.,
1091. vs. Appellant
John A. Buckner et al.
and
John A. Buckner et al.,
1292. vs. Appellants
Stephenson Walters, Adm'r. &c.

On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Mary Wells,
1052. vs. Appellant
William A. Parker et al.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause being called to the attention of the Court by Mr. W. Hallett Phillips, in behalf of counsel, and the authority of the appellant to dismiss this cause having been filed, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the

same is hereby, dismissed with costs.
per Mr. Chief Justice Waite.

369. Jane C. Hitz, vs. Appellant William P. Jenks. Mr. W. F. Mattingly, in behalf of counsel for the appellant, suggested the death of William P. Jenks, the appellee in this cause, and moved the Court to continue this cause until the next term. Whereupon, It is now here ordered by the Court that this cause be, and the same is hereby, continued until the next term.

1371. The Thorn Wire Hedge Co. et als., vs. Plffs. in Error Cassius D. Fuller et als. On motion of Mr. W. K. Mendenhall, Ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to Rule 32.

841. The Texas Transportation Co. et als., vs. Appellants Henry Seligson. Mr. W. E. Earle, of counsel for

the appellee, suggested the death of Henry Seeligson, the appellee in this cause, and moved the Court to make George Seeligson, Administrator of the said Henry Seeligson, the party appellee in this cause. Whereupon, It is now here ordered by the Court that George Seeligson, Administrator of Henry Seeligson, deceased, as aforesaid be, and he is hereby, made the party appellee in this cause.

The Texas Transportation Co. et al.,
841. vs. Appellants
George Seeligson, Adm't. &c.

This cause was submitted to the consideration of the Court, pursuant to Rule 32, on the record and printed arguments by Mr. T. A. Wault, of counsel for the appellants, and Mr. William C. Earle and Mr. W. W. Boyce, of counsel for the appellee.

Henry Seeligson,
851. vs. Appellant
The Texas Transportation Co., et al.

Mr. W. C. Earle, of counsel for

the appellant, suggested the death of Henry Seeligson, the appellant in this cause, and moved the Court to make George Seeligson, Administrator of the said Henry Seeligson, the party appellant in this cause. Whereupon, It is now here ordered by the Court that George Seeligson, Administrator of Henry Seeligson, deceased, as aforesaid, be, and he is hereby, made the party appellant in this cause.

George Seeligson, Administrator of Henry Seeligson, deceased,	Appeal from the Circuit Court of the
8 Sup. vs. Appellant	United States
The Texas Transportation Company, Alexander & Hutchinson et als.	for the Eastern District of Texas.

This cause being called to the attention of the Court by Mr. William C. Earle, of counsel for the appellant, and he having moved the Court to dismiss this cause, It is now here ordered, adjudged and decreed by this Court that this appeal

be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

1019. Bertrand Saloy vs. Plff. in Error Simon Bloch. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles W. Hornor, in support of the same, and Mr. William A. Maury, in opposition thereto.

1359. William L. Powell vs. Plff. in Error, The Commonwealth of Pennsylvania. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wayne MacVeagh, in support of the same, and Mr. D. T. Watson, in opposition thereto.

1381. The Newark Machine Company, vs. Peter L. Nargett, Douglas H. Nargett, Samuel L. Nargett, Shaffer J. Nargett, and John E. Nargett, trading as P. L. Nargett & Company. Appellant

Mr. Samuel Shellabarger, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States
For the District of Maryland.
April Term, 1886.

Newark Machine Co., Complainant vs. Peter L. Nargett, Douglas H. Nargett, Samuel L. Nargett, Shaffer J. Nargett, John E. Nargett, trading as P. L. Nargett & Co. Defendants

No. 184. Equity B. 17 Aug. 1885. Bill in Equity for alleged infringement of patent. 22 July 1886. Bill dismissed with costs. Decree filed same day. Appeal prayed by complainant in open Court and allowed.

I, James W. Chew, Clerk of the Circuit Court of the United States for the Fourth

Circuit in and for the District of Maryland, do certify that the appeal to the Supreme Court of the United States in the above entitled case was sued out by the complainant and duly allowed on the 22d day of July, 1886.

In testimony whereof I hereto set my hand and affix the seal of the said Circuit Court on this 18th day of April, A.D. 1887.

(Seal)

Jas. W. Chew, Clerk
of said Circuit Court."

moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it appearing to the Court that the appellant has failed to have its cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according

to law and justice.

per Mr. Chief Justice Waite.

	The State of Wisconsin.	The demurrer of
6.	Original. vs. Plaintiff,	the plaintiff to the
	The Pelican Insurance	first plea of the
	Company of New Orleans,	defendant was
	La.	argued by Mr.
		Samuel Shella.

Langer, in support of the same, and Mr. John A. Campbell, in opposition thereto.

	Alexander R. Shepherd	The argument of
264.	vs. Plff. in Error,	this cause was
	John W. Thompson.	commenced by
		Mr. Andrew C.

Bradley, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 26th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Shiras Jr. it is ordered that Rasselas Brown, Esquire, of Warren, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Job Barnard it is ordered that Charles B. Wilson, Esquire, of Rochester, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Alexander K. Shepherd, Plff. in Error
264. vs.
John W. Thompson.

The argument of this cause was continued by Mr. Andrew B. Bradley, of counsel for the plaintiff in error, and Mr. Martin F. Morris, of counsel for the defendant in error, and concluded by Mr. William F. Mallingly, of counsel for the plaintiff in error.

The United States, Plff. in Error,
266. vs.
Clement A. Fullmore et al.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. B. M. Da Costa, of counsel for the defendants in error.

Proclamation being made the Court is adjourned.

Wednesday, April 27th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray, and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

383. Edwin Parsons vs. William M. Robinson. Appellant

The motion to dismiss in this cause was submitted to the consideration of the Court on an agreed record and printed arguments by Mr. Samuel Dickson and Mr. R. C. Dale, in support of the same, and Mr. D. A. Chamberlain and Mr.

Francis A. Lewis, in opposition thereto.

The First National Bank of Cobleskill, N.Y., et al.,		Appeal from the Circuit Court of the United States for the District of Indiana.
1281. vs.	Appellants	
The Wabash, St. Louis & Pacific Railway Co. et al.		

This cause being called to the attention of the Court by Mr. Joseph E. McDonald, of counsel for the appellants, and a stipulation to dismiss this cause having been filed, It is thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, Clerk's costs in this Court to be paid by the appellants.

per Mr. Chief Justice Waite.

281. The First National Bank of Coblestill, N.Y., et al., vs. The Wabash, St. Louis & Pacific Railway Co. et al. Appellants

On motion of Mr. J. E. McDonald, of counsel for the appellants, leave is hereby granted him to withdraw the transcript of the record in this cause from the files of this Court upon his leaving with the Clerk a receipt therefor.

995. The Laclede Bank et al., Appellants, vs. Harrison B. Schuler.

1017. Harrison B. Schuler, Appellant, vs. The Laclede Bank et al.

1018. Harrison B. Schuler, Plff. in Error, vs. J. & T. Israel et al.

On motion of Mr. G. A. Finkelnburg, in behalf of counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

	The State of Kansas on the relation of G. F. Tufts, Assistant Attorney General,	Mr. S. B. Bradford, of counsel for the appellant,
1382.	vs. Appellant	filed and submitted to the
	Herman Zielold and Joseph Hagelin.	consideration of the Court

a motion to advance this cause.

	The Western Union Telegraph Co.,	This cause was argued by Mr. Au-
267.	vs. Pff. in Error,	gustus L. Mason
	William Pendleton.	and submitted on

a printed argument by Mr. J. E. McDonald and Mr. J. M. Butler, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

	Donald M. McLeod et al.	This cause was
268.	vs. Plffs. in Error	argued by Mr.
	The Fourth National Bank of St. Louis.	Frederic R. Judson, of counsel for the

plaintiffs in error, and Mr. G. A. Finkelnburg, of counsel for the defendant in error.

Wednesday, 27th April 1887, continued.

270. George A. Morrison et al., Appellants vs. John Durr et al. The argument of this cause was commenced by Mr. Eppa Hunton, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 28th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

The Colorado Coal & Iron Co. et al. Appellants
vs.
The United States.

On motion of Mr. Solicitor General Jenks, It is ordered by the Court that

321.

this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

270. George A. Morrison et al., vs. John Durr et al. Appellants

The argument of this cause was continued by Mr. Eppa Hunton, of counsel for the appellants, and Mr. Edward J. Pringle, of counsel for the appellees, and concluded by Mr. Eppa Hunton, of counsel for the appellants.

271. Marcus A. Hanna et al., vs. John B. Maas et al. Plffs. in Error,

The argument of this cause was commenced by Mr. E. J. Estep, of counsel for the plaintiffs in error, and continued by Mr. Dan H. Ball, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 29th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Freeman it is ordered that W. V. Sullivan, Esquire, of Oxford, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

291. The Detroit City Railway, Appellant, vs. The City of Detroit and Jacob Guthard. Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, it is thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by the appellant.

per Mr. Chief Justice Waite.

294. Maxamillian A. Dauphin, Plff. in Error, vs. The Times Publishing Company. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and the authority of the plaintiff in error to dismiss this cause having been filed, It is thereupon, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Louisville & Nashville Railroad Company,		In Error to the Circuit Court
637.	vs. Plff. in Error,	of the United
Mary Isadora Duffy, as		States for the
Administratrix of James		Middle District
F. Duffy, deceased.		of Alabama.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a motion by the plaintiff in error to dismiss this cause having been filed, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and

the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Town of Blue Ridge, vs. Plff. in Error,
Henry St. John.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a motion by the plaintiff in error to dismiss this cause having been filed, It is thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	Hubert B. Gates,	In Error to
1094.	vs. Pff. in Error,	the Supreme
	The Boston & New York Air	Court of Errors
	Line Railroad Company,	of the State of
	The New York, New Haven and	Connecticut.
	Hartford Railroad Company	
	and Alfred R. Goodrich as Treas-	
	urer of the State of Connecticut.	

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by plaintiff in error.

per Mr. Chief Justice Waite.

	The Moline Wagon Company,	Appeal from
1213.	vs. Appellant	the Circuit
	Jonathan E. Fram and Robert	Court of the
	S. Williams.	United States
		for the North-

Friday, April 29th, 1887, continued.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and the authority of the appellant to dismiss this cause having been filed, It is thereupon, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Burlington, Cedar Rapids & Northern Railway Company
vs. Plff. in Error
Charles L. Dunn, by Ellis Stone Gorman, his guardian ad litem.

977.

This cause was submitted to the consideration of the Court by Mr. Eppa Hunton and Mr. Jeff Chandler, of counsel for the plaintiff in error, and Mr. Enoch Totten and Mr. C. D. O'Brien, of counsel for the defendant in error.

317.	John Stryker, vs. Plff. in Error George Crane, Adm'r. &c. and John Stryker, vs. Plff. in Error, George Crane, Adm'r. &c.	Mr. William A. McKenney, in behalf of counsel for the plaintiff in error,

suggested the death of John Stryker, the plaintiff in error in these cases, and moved the Court to make Thomas N. Stryker, Executor of said John Stryker the party plaintiff in error in these cases. Whereupon, It is ordered by the Court that Thomas N. Stryker, Executor of John Stryker, deceased, as aforesaid, be, and he is hereby, made the party plaintiff in error in these cases.

319.	Edwin C. Litchfield, Administrator of Grace N. Litchfield, deceased, vs. Plff. in Error, George Crane, Adm'r. &c.	Mr. William A. McKenney, in behalf of counsel for the plaintiff in error in error,

suggested the death of Edwin C. Litchfield and the appointment of Edward N. Litchfield as Administrator de bonis non of

Grace H. Litchfield, deceased, and moved the Court to make said Edward H. Litchfield, as such Administrator, the party plaintiff in error in this cause. Whereupon, It is ordered by the Court that Edward H. Litchfield, Administrator de bonis non of Grace H. Litchfield, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

Marcus A. Hanna et als., Plffs. in Error,
271. vs.
John B. Maas et al.

The argument of this cause was concluded by Mr. Walter H. Smith, of counsel for the defendants in error.

The Smith & Griggs Manufacturing Company, Appellant
272. vs.
Leonard A. Sprague.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

274.	The United States vs. George E. White.	Appellant	Ordered by the Court that this cause be passed until Monday next.

275.	Thomas W. Barbiam et al., vs. Wm N. Robertson, Collector &c.	Plffs: in Error.	The argument of this cause was commenced by Mr. Henry Edwin Tremain, of counsel for the plaintiffs in error, continued by Mr. Solicitor General Jenks, of counsel for the defendant in error, and concluded by Mr. A. B. Willard, of counsel for the plaintiffs in error.

276.	The Davenport National Bank, vs. The Board of Equalization in and for the City of Davenport Township et al.	Plff. in Error,	Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

277. Maurice Gandy, vs. E. M. Marble, as Commissioner of Patents, and his successor &c. Appellant

The argument of this cause was commenced by Mr. A. J. Willard, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 2nd, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan, Associate
Stanley Matthews, Justices
Horace Gray, and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Willard it is ordered that J. Edgar Bull, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph E. McDonald it is

ordered that John H. Knaebel, Esquire, of Santa Fé, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General, [illegible] it is ordered that D. L. Hawkins, Esquire, of Cape Girardeau, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

168. Theodore J. McGowan and Robert C. Bliss, partners, under the firm name of The McGowan Pump Company, vs. The American Pressed Tan Bark Company. Pltffs. in Error

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Blatchford.

255. George W. McCoy, Appellant, vs. Frederick Nelson. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to take such further proceedings as shall be in conformity with the opinion of this Court.

per Mr. Justice Blatchford.

242. John F. Hartranft, Collector of Customs for the District of Philadelphia, vs. Plff. in Error, John N. Weigmann and Frederick W. Weigmann, trading as J. N. Weigmann & Son. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Blatchford.

John F. Hartranft, Collector of Customs for the District of Philadelphia, Plff. in Error, vs. Anton Winters.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per

annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Blatchford.

	George W. Frost and Abby B. Frost,	Appeal from the Circuit Court of the United States for the District of Nebraska.
235.	vs. Appellants	
	Martin Spitley.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill of Martin Spitley, appellee, and the cross-bill of Frost and wife, appellants, without prejudice; The costs in this Court and in the Circuit Court to be paid

by said appellee.

per Mr. Justice Gray.

George B. Snow, Theador G. Lewis 2d & John E. Robie		Appeal from the Circuit Court of the United States for the Northern District of New York.
234. vs.	Appellants	
The Lake Shore & Michigan Southern Railway Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

247. The Metropolitan Railroad Company, vs. Hamilton A. Moore, by his next friend Hamilton O. Moore. Plff. in Error. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to take further proceedings therein in conformity with the opinion of this Court.

per Mr. Justice Matthews.

	The New Jersey Steamboat Company	In Error to the Circuit Court
254.	vs. Plff. in Error,	of the United
	Leonard A. Brockett.	States for the
		Northern Dis-

trict of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Harlan.

Monday, May 2d, 1887. Continued.

Andrew J. Bragg and Robert R. Smith, copartners, under the name of A. J. Bragg & Company.		Appeal from the Circuit Court of the United States for the District of Connecticut.
122.	vs. Appellants	
Eleazer J. Fitch and Emily M. Fitch, copartners, under the name of W. & E. J. Fitch.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Bradley.

156. Tiery Wright, vs. Plff. in Error, A. M. Rosebery, Flemming Suttar, Permelia Simmons and Sarah Powell. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions for further proceedings in accordance with the opinion of this Court.

per Mr. Justice Field.

(Announced by Mr. Chief Justice Waite.)

Hattie E. Stanley, Executrix
of Edward T. Stanley, deceased,
222. vs. Plff. in Error
The Board of Supervisors of
the County of Albany.

In Error to
the Circuit
Court of
the United
States for
the North-

ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

(announced by Mr. Chief Justice Waite.)

James T. Carpenter,
262. vs. Plff. in Error
The Washington & Georgetown
Railroad Company.

In Error to the
Supreme Court
of the District
of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

229. The Peninsular Iron Company, Abel Whitney et al., Appellants vs. Andros B. Stone, The St Louis, Keokuk & Northwestern Railroad Company et al. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellants; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction and without prejudice.

per Mr. Chief Justice Waite.

231. Alfred Robinson, Plff. in Error, vs. John Anderson William Anderson, Jesse Adkinson, et al. In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby.

affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Chief Justice Waite.

251. Frances E. Lawrence vs. Morgan's Louisiana and Texas Railroad & Steamship Company, and Robert B. Todd, Trustee and Minos J. Gordy, Sheriff. Appeal from and In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	Edward Lees and Robert J. Hendricks,	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
174.	vs. Appellants	
	Anderson Fowler.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, the Court being equally divided, in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

	The State of Kansas ex rel: J. F. Tufts, Assistant Attorney General.	On consideration of the motion to advance this cause, It is now here ordered by the Court That said
1382.	vs. Appellant	
	Herman Ziebold v Joseph Hagelin.	

motion be, and the same is hereby,

granted and the cause assigned for argument on the second day of the next term.

per Mr. Chief Justice Waite.

Bertrand Saloy,
1019. vs. Plff. in Error
Simon Bloch.

On consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Waite.

William L. Powell,
1359. vs. Plff. in Error,
The Commonwealth of Pennsylvania.

On consideration of the motions to dismiss or affirm in this cause and of the arguments of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

The Baxter Mountain Gold Mining Company, vs. Plff. in Error,
1363. Henry J. Patterson et al. } On consideration of the motion to rescind the order docketing and dismissing this cause and for leave to file the record and docket the cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted upon payment of costs.

per Mr. Chief Justice Waite.

The United States, vs. Appellant
274. George E. White. } Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California. On consideration whereof, it not appearing to the Court that the amount in controversy exceeds the sum of $5,000., It is now here ordered, adjudged

and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Chief Justice Waite.

	Lewis A. Beeson et al., Trustees &c.,	Mr. Nathaniel Bacon, of counsel for the plaintiffs in error, submitted to
378.	vs. Plffs. in Error,	
	Henry Johns and Henry Ohrt.	

the consideration of the Court a motion for an alias writ of scire facias to issue to William Johns, Administrator of Henry Johns, deceased.

	Quin Bohanan,	Mr. William Leese, of counsel for the defendant in error, filed
838.	vs. Plff. in Error,	
	The State of Nebraska.	

and submitted to the consideration of

the Court a motion to advance this cause.

William H. Tompkins
348. vs. Appellant
The Little Rock & Fort Smith
Railroad Company et al.
and
William S. Williams
349. vs. Appellant
The Little Rock, Mississippi
River & Texas Railway et al.

On motion of Mr. John F. Dillon, of counsel for the appellees, and consent of counsel for appellants in open Court, It is ordered by the Court that these cases be, and they are hereby, continued until the next term and not to be called before November 15th.

The Louisiana National Bank,
986. vs. Plff. in Error & App't.
Mrs Hattie L. Whitney, Tutrix &c. et al.
and
The Board of Liquidation of the City
Debt
987. vs. Appellant,
Mrs Hattie L. Whitney, Tutrix
&c. et al.

On motion of Mr. W. Hallett Phillips, in behalf of counsel for the appellees, leave is hereby granted the Clerk

to issue the mandate in these cases.

277. Maurice Gandy, vs. E. M. Marble, as Commissioner of Patents, & his successor &c. Appellant

The argument of this cause was continued by Mr. A. J. Willard, of counsel for the appellant, and Mr. Assistant Attorney General Maury, of counsel for the appellee, and concluded by Mr. Amos Broadnax, of counsel for the appellant.

278. Thomas Struthers, vs. Plff. in Error, Joseph W. Drexel.

The argument of this cause was commenced by Mr. George Shiras Jr., of counsel for the plaintiff in error, continued by Mr. John Dalzell, of counsel for the defendant in error, and concluded by Mr. Rasselas Brown, of counsel for the plaintiff in error.

280. Charles Benziger et al., vs. Plffs. in Error W. H. Robertson, Collector &c.

This cause was argued by Mr. R. D. Mussey, of counsel for

the plaintiffs in error, and submitted on a printed argument by Mr. Solicitor General Jenks, of counsel for the defendant in error.

The St. Louis, Iron Mountain & Southern Railway Company, Plff. in Error
282. vs.
Elias R. Vickers.

This cause was argued by Mr. John F. Dillon, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. F. W. Compton, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, May 3d, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices.
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

838. Quin Bohanan vs. Plff. in Error, The State of Nebraska. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second day of the next term.

Lewis H. Beeson et als., Trustees &c.,
378. vs. Plffs. in Error
Henry Johns & Henry Chrt.

On consideration of the motion in this cause for an alias writ of

scire facias to issue to William Johns, Administrator of Henry Johns, deceased. It is ordered by the Court that said motion be, and the same is hereby, granted.

Seth Bullock et als.,
176. vs. Appellants
John L. Farwell.

On motion of Mr. J. W. Smith, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Norman B. Harwood and Susan D. Harwood,
587. vs. Appellants
Emil Dickerhoff, Lewis Raffloer, William Zimmerman and Adolph Erbsloh, partners as Dickerhoff, Raffloer & Company.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause being called to the attention of the Court by Mr. Henry Jackson, of counsel for the appellants, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by the appellants.

per Mr. Chief Justice Waite.

Norman B. Harwood et al.,		On motion of
584. vs.	Appellants,	Mr. Henry
Emil Dickerhoff et al.		Jackson, of
		counsel for

the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

The St. Louis, Iron Mountain &		This cause
Southern Railway Company,		was argu-
283. vs.	Plff. in Error,	ed by Mr.
Benjamin B. Knight et al.		John F.
		Dillon, of

counsel for the plaintiffs in error, and

submitted on printed arguments by Mr. Julius Rosenthal and Mr. A. H. Ponce, of counsel for the defendants in error.

284. Lorenzo Bull et al., Plffs. in Error, vs. The First National Bank of Kasson et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William McFadon, of counsel for the plaintiffs in error, and Mr. Charles G. Willson, of counsel for the defendants in error.

285. Z. A. Estes & J. H. Doan, Appellants vs. S. H. Gunter et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Luke E. Wright, of counsel for the appellants, and Mr. N. M. Sullivan, Mr. W. V. Sullivan and Mr. Edward Mayes, of counsel for the appellees.

286. John A. Topliff et al., vs. Isaac A. Topliff. Appellants

The argument of this cause was commenced by Mr. H. S. Sherman, of counsel for the appellants, and continued by Mr. W. W. Boynton and Mr. M. D. Leggett, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday. May 4th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that Anson B. Jackson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Parsons it is ordered that John P. Adams, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Union Pacific Rail-road Company,		In Error to the Supreme Court
1012. vs.	Plff. in Error.	of the State of
Francis B. Brewer.		New York.

This cause being called to the attention of the Court by Mr. Edward F. Bullard, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by the plaintiff in error.

per Mr. Chief Justice Waite.

286. John A. Topliff et al., Appellants vs. Isaac A. Topliff. The argument of this cause was concluded by Mr. W. Bakewell, of counsel for the appellants.

287. Edward F. Bullard, Plff. in Error, vs. The Des Moines & Fort Dodge Railroad Company et al. This cause was argued by Mr. Edward F. Bullard, the plaintiff in error, and submitted on a printed argument by Mr. John F. Duncombe, of counsel for the defendants in error.

288. The Northwestern Mutual Life Insurance Company, Plff. in Error vs. The Muskegon National Bank. This cause was argued by Mr. Edward Salomon, of counsel for the plaintiff in error, and Mr. John E. Parsons, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday. May 5th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray, and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Hepburn it is ordered that Samuel Hepburn, Jr., Esquire, of Carlisle, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

289. James H. Beatty et al., Appellants vs. Howard Melville Hanna et al. This cause was argued by Mr. F. H. Canfield, of counsel for the appellants, and Mr. Henry H. Swan, of counsel for the appellees.

290. The Denver & Rio Grande Railway Company, Plff. in Error vs. James Harris. This cause was argued by Mr. C. M. Da Costa, of counsel for the plaintiffs in error, and Mr. John N. Knaebel, of counsel for the defendant in error.

293. George W. Paxton et al., Plffs. in Error, vs. Charles Griswold et al. The argument of this cause was commenced by Mr. Samuel Hepburn, Jr., of counsel for the plaintiffs in error, and continued by Mr. Samuel Hepburn, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, May 6th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Eppa Hunton it is ordered that O. D. Conger, Esquire, of Port Huron, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday, May 6th 1887, continued.

Samuel Strong,		In Error to the
233.	vs. Pff. in Error,	Supreme Court
The District of Columbia.		of the District
		of Columbia.

This cause being called to the attention of the Court by Mr. C. D. Barrett, of counsel for the plaintiff in error, and the authority of the plaintiff in error to dismiss this cause having been filed, It is, thereupon, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

George W. Paxton et al.,		The argument of
293.	vs. Plffs. in Error	this cause was
Charles Griswold et al.		continued by
		Mr. Samuel

Hepburn, of counsel for the defendants in error, and concluded by Mr. Samuel Hepburn Jr., of counsel for the plaintiffs in error.

295.	Robert Ervine et al., vs. The Steamship Hesperia.	Appellants. This cause was argued by Mr. Eppa Hunton, of counsel for the appellants, and Mr. John H. Thomas, of counsel for the appellees.
296.	The Travelers' Insurance Company of Hartford, Conn., vs. Catherine L. Edwards.	Plff. in Error, The argument of this cause was commenced by Mr. Solomon Lincoln, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 9th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that G. Norman Lieber, Esquire, of New York City, and John W. Clous, Esquire, of San Antonio, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that David A. McKnight, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly:

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that John D. Roquemore, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Willard it is ordered that Charles C. Bull, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Cyrus H. McCormick
etal., Executors &c.
388. vs. Appellants,
Hugh Graham.

On motion of Mr.
E. Banning, of
counsel for the
appellee, leave is
hereby granted

to withdraw the transcript of the record in this cause from the files for the purpose of correcting the same, provided a stipulation of counsel to that effect is filed with the Clerk.

Thomas F. Bayard,
Secretary of State,
1387. vs. Plff. in Error
The United States ex rel:
S. U. White.

Mr. William A.
McKenney, in
behalf of the de-
fendant in error,
submitted to the
consideration

of the Court a motion to advance this cause.

The Louisville & Nashville
Railroad Company
343. vs. Plff. in Error,
Edward Hobart.

In Error to the
Circuit Court
of the United
States for the
Southern District

of New York.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

1318. Paul O. Fazende and Henry C. Seixas, composing the commercial firm of Fazende & Seixas, Plffs. in Error, vs. The Mayor, Aldermen and Inhabitants of the City of Houston, Daniel D. Smith, Mayor, George C. Bringhurst, Secretary and Treasuer and George Underwood, Stephen O. Flynn et al., Aldermen &c. In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation

to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

1319. Paul O. Fazende and Henry C. Seivas, composing the commercial firm of Fazende & Seivas vs. Plffs. in Error, The Mayor, Aldermen & Inhabitants of the City of Houston, Daniel D. Smith, Mayor, George R. Bringhurst, Secretary and Treasurer, and George Underwood, Stephen O. Flynn et al., Aldermen &c. In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said

stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

296. The Travelers Insurance Company of Hartford, Conn., Plff. in Error vs. Katherine L. Edwards.

The argument of this cause was continued by Mr. Solomon Lincoln, of counsel for the plaintiff in error, and Mr. William A. Cogswell, of counsel for the defendant in error, and concluded by Mr. Solomon Lincoln, of counsel for the plaintiff in error.

297. The Minneapolis Gas Light Co. Appellant, vs. The Kerr Murray Manufacturing Company.

This cause was argued by Mr. Anson B. Jackson, of counsel for the appellant, and Mr. George B. Squires, of counsel for the appellee.

298. The New Process Fermentation Co., vs. Magdalena Maus et al. Appellant

The argument of this cause was commenced by Mr. Ebhraim Banning, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, May 10th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. McKenney it is ordered that William Yorke Atlee, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James L. Pugh it is ordered that G. L. Comer, Esquire, of Eufaula, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Thorn Wire Hedge Co. et al.,	This cause was submitted to the consideration of the Court, pursuant to the 32d rule, on
1371.	vs. Plffs. in Error,	
	C. D. Fuller et al.	

the record and printed arguments by Mr. Charles D. Kerr, of counsel for the plaintiffs in error, and Mr. Thomas Wilson, of counsel for the defendants in error.

	The New Process Fermentation Co.	The argument of this cause was continued by Mr.
298.	vs. Appellant,	
	Magdalena Mauss et als.	C. P. Jacobs,

of counsel for the appellees, and concluded by Mr. W. W. Leggett, of counsel for the appellant.

299. James M. Siebert, Collector of Cape Girardeau County, vs. Plff. in Error,
The United States ex rel: James M. Lewis, Admr. &c.

The argument of this cause was commenced by Mr. D. A. McKnight, of counsel for the plaintiff in error, and continued by Mr. J. B. Henderson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, May 11th. 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Franklin B. Lord, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Howard L. Chapin, Pltff. in Error,
516. vs.
James Streeter.

Mr. Nathaniel Wilson, of counsel for the plaintiff in error, suggested the death of James Streeter, the defendant in error, and moved the Court to make Josephine F. Streeter, Executrix of James Streeter, deceased, the party defendant in error in this cause per stipulation of counsel. Whereupon, It is now here ordered by the Court that Josephine F. Streeter, Executrix of James Streeter, deceased, as aforesaid, be, and she is hereby, made the party defendant in error in this cause.

James M. Siebert, Collector
of Cape Girardeau County,
299. vs. Pltff. in Error,
The United States ex rel:
James M. Lewis, Adm'r. &c.

The argument of this cause was concluded by Mr. D. A. McKnight, of counsel for the plaintiff in error.

The Central Railroad & Banking Company
300. vs. Plff. in Error
James B. McKenzie.

The argument of this cause was commenced by Mr. John D. Roquemore, of counsel for the plaintiff in error, and continued by Mr. G. T. Comer, of counsel for the defendant in error, and concluded by Mr. Martin F. Morris, of counsel for the plaintiff in error.

R. Walker & Company
302. vs. Plffs. in Error,
Bickham & Moore.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. M. R. Walker, of counsel for the plaintiffs in error. No counsel appearing for the defendants in error.

James Doolan et al.,
303. vs. Plffs. in Error
William B. Carr.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation

	The Baltimore & Potomac Railroad Company	Ordered by the Court that this
304.	vs. Plff. in Error	cause be, and
	The District of Columbia.	the same is hereby, con-

tinued until the next term per stipulation of counsel.

	Francis A. Drexel et al.,	This cause was
305.	vs. Appellants	argued by Mr.
	Louise Berney.	Wayne MacVeagh, of coun-

sel for the appellants, and Mr. Franklin B. Lord, of counsel for the appellee.

	The United States	Ordered by the
306.	vs. Appellant	Court that this
	Mathilde de Morant et al.	cause be and
		the same is here-

by, continued until the next term.

	James M. Kennedy et al., Commissioners &c.,	Ordered by the Court that this
307.	vs. Appellants	cause be, and
	Bartley Lamb et al.	the same is

hereby, passed until Monday next.

308. The New Orleans Water Works Company, vs. Plff. in Error, The Louisiana Sugar Refining Company et al. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

309. Emma C. Whitsitt, sole devisee &c. vs. Appellant The Union Depot & Railroad Co. et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. J. Wells, of counsel for the appellant. No counsel appearing for the appellees.

310. Alfred B. Lawther vs. Appellant Charles S. Hamilton et al. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

311. Samuel Clinton, vs. Plff. in Error, The Missouri Pacific Railway Co. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John M. Thurston, of counsel for the plaintiff in error, with leave to counsel for the the defendant in error to file a printed argument.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 16th, 1887.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice said

As a mark of respect to the memory of Mr. Justice Woods, who died in this City on Saturday last, no business will be done in Court today, and that the Justices may attend the Funeral at

Newark, Ohio, tomorrow, we will now adjourn until Monday next, when motions noticed for today will be heard, and a later time in the week fixed for closing the business of the term.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

(Note. The Chief Justice and Mr. Justice Gray as a committee of the Court, accompanied the remains to Newark, Ohio.)

Monday, May 23d, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that John L. McMaster, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Van H. Manning it is ordered that F. G. Barry and R. C. Beckett, Esquires, of West Point, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that S. W. Shadle, Esquire, of Lewistown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that Richard W. Tyler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Erwin Davis
221. vs. Plff. in Error,
Algernon S. Patrick.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Justice Blatchford.

Monday, May 23d 1887, continued.

Edward Warren and Vernon K. Warren, his wife, and John S. Kennedy and Mary E. Kennedy, his wife,

216. vs. Appellants

Frank S. Moody and Richard C. McLester, Assignees in bankruptcy of Baugh, Kennedy & Company and John S. Kennedy.

Appeal from the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to to the said Circuit Court with a direction to dismiss the bill with costs to the defendants in the Circuit Court and in the District Court.

per Mr. Justice Blatchford.

James H. Beatty, Henry Beatty, William Beatty and John D. Beatty, claimants of the Steamer 'Manitoba',

289. vs. Appellants

Howard Melville Hanna and George W. Chapin, owners of the propeller 'Comet.'

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, but without interest.

per Mr. Justice Blatchford.

	George Gibson and Irwin Watkins,	Appeal from the Circuit
868.	vs. Appellants	Court of the
	N. N. Shufelat & Company et al.	United States for the East-
		ern District

of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction as to all of the appellees except the Mill Creek Distilling Company.

per Mr. Justice Gray.

	Marcus A. Hanna, Robert R. Rhodes and James F. Rhodes,	In Error to the Circuit Court of the United States for the Western Dis. trict of Mich. igan.
271.	vs. Plffs. in Error	
	John B. Maas, Nicholas Lonstorf and John P. Mitchell.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Gray.

The State National Bank of Springfield, Illinois, Plff. in Error, vs. The St. Louis Rail Fastening Company. — In Error to the Circuit Court of the United States for the Southern District of Illinois.

263.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Gray.

The St. Louis, Iron Mountain & Southern Railway Company, Plff. in Error, vs. Benjamin B. Knight and Robert Knight. — In Error to the Circuit Court of the United States for the Northern District of Illinois.

283.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Matthews.

286. John A. Topliff and George H. Ely, vs. Isaac N. Topliff. Appellants. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, It is now

here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

Harris Eames,
120. vs. Appellant,
William D. Andrews, George H. Andrews 2d & Nelson W. Green.

Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Connecticut.

per Mr. Justice Matthews.

Dissenting: Mr. Justice Bradley
Mr. Justice Field

320. A. J. Beedle, vs. Frank O. Bennett, Amelia H. Bennett and Henry B. Bennett. — Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Ohio.

per Mr. Justice Matthews.

Dissenting:
Mr. Justice Bradley
" " Field
" " Gray.

The Chicago, Burlington & Kansas City Railway Company,
1244. vs. Plff. in Error,
The State of Missouri ex rel: John F. Guffey, Collector &c.

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

The Sun Mutual Insurance Company of New Orleans, and The Hibernia Insurance Company of New Orleans,
136. vs. Appellants
The Kountz Line, The H. C. Yeager Transportation Company, The C. U. Kountz Transportation Company, The K. P. Kountz Transportation Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Louisiana and was argued by counsel.
On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside all orders inconsistent with, and to enter such orders and decree as are in conformity to the principles of the opinion of this Court.

per Mr. Justice Harlan.

(Mr. Justice Gray not having heard the whole argument took no part in this decision.)

Lizzie Tuttle, Administratrix of Orson Tuttle, deceased,		In Error to the Circuit Court of the United States for the Eastern District of Michigan.
186. vs.	Plff. in Error	
The Detroit, Grand Haven & Milwaukee Railway Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Dissenting:
Mr. Justice Miller
" " Harlan.

275. Thomas W. Barbram and Joseph B. Barbram, vs. Pliffs. in Error, William H. Robertson, Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

387. Chauncey P. Williams, Plff. in Error, vs. The Board of Supervisors of the County of Albany. In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	Henry F. Bean and John W. Alsop,	Appeal from the Circuit Court of the United States for the Western District of Missouri.
233.	vs. Appellants	
	William L. Patterson, Mary Miller, William Miller, Eli J. Saeger, Melchor H. Horn, Valentine W. Weaver, William B. Powell, Ed. E. Powell and National Bank of Catasauqua, Pennsylvania.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	William H. M. Sanger,	Appeal from
228.	vs. Appellant,	the Circuit
	William Nightingale. William	Court of the
	Nightingale, Executor of Phineas	United States
	M. Nightingale, deceased, Mrs.	for the South.
	Ellen D. Nightingale, John K.	ern District
	Nightingale, et al.	of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the South. ern District of Georgia, and was argued by counsel. On consideration where. of, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

	Edward F. Bullard	In Error to the
287.	vs. Plff. in Error,	Supreme Court
	The Des Moines & Fort Dodge	of the State of
	Railroad Company and Charles	Iowa.
	E. Whitehead, Trustee of said	
	Company.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

The Northwestern Mutual Life Insurance Company vs. Plff. in Error,
288. The Muskegon National Bank.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Miller.

163. William Barnes, Trustee, vs. The Chicago, Milwaukee & St. Paul Railway Company. Appellant, Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Edwin Parsons
1383. vs. Appellant
William M. Robinson.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction per Mr. Chief Justice Waite.

L. D. Brown 2nd
Leander Holmes
1394. vs. Appellants
G. J. McConnell.

Mr. A. H. Garland, of counsel for the appellee, having filed in open Court a certified copy of the judgment of the Supreme Court of the Territory of Washington, a copy of the citation and a certified copy of the order

denying petition for a rehearing in this cause, moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that this appeal from the Supreme Court of the Territory of Washington be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

650. Johnson N. Camden, Appellant vs. F. L. B. Mayhew & Co. et al. Mr. A. H. Garland, of counsel for the appellant, submitted to the consideration of the Court a motion to dismiss this appeal and vacate the supersedeas in part.

Ex parte: In the matter of George K. Grove Petitioner. Mr. George A. Jenks, of counsel for the petitioner, filed and submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

695. Joseph A. La Rue and Marcus Brunswick, vs. John U. Winter's heirs. Appellants. Appeal from the Supreme Court of the Territory of New Mexico.

This cause being called to the attention of the Court by Mr. William Penn Clarke, in behalf of counsel for the appellants, and a motion by the appellants to dismiss this cause having been filed, It is thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

932. The City of Evansville, vs. Plff. in Error, The Portland Savings Bank. In Error to the Circuit Court of the United States for the District of Indiana.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

169. The Cleveland Rolling Mill Co. vs. Plff. in Error Charles D. Rhodes et al. Mr. William A. McKenney, in behalf of counsel for

the defendants in error, submitted to the consideration of the Court a motion to modify the judgment entered by this Court in this cause.

495.	The United States vs. The Marshall Silver Mining Company et al.	Appellant,

On motion of Mr. W. Hallett Phillips, leave is hereby granted to withdraw his appearance and that of Mr. J. K. McCammon as counsel for the appellees in this cause.

1395.	Robert C. Hewett, Joseph R. Cassin, William T. Thyson, John Pepper and William O'Donnell, vs. The Western Union Telegraph Company and The District of Columbia.	Appellants

Mr. J. Hubley Ashton, of counsel for the appellees, having filed in open Court the following certificate, to wit:

In the Supreme Court of the District of Columbia.

Robert C. Hewett, Joseph R. Cassin, William T. Thyson, John Pepper, William O'Donnell	Complainants	9451 Equity Docket 24.
vs. The Western Union Telegraph Company and The District of Columbia.	Defendants	

I, R. J. Meigs, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in a cause lately pending in said Supreme Court, the parties whereof are above stated, a final decree was rendered by said Supreme Court on the 10th day of March 1886 in favor of the defendants and against the complainants - and that on the 15th day of July, 1886 the said complainants prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I hereunto subscribe my name and
(Seal) affix the seal of said Supreme Court of the District aforesaid this 31st day of December 1886.

Test R. J. Meigs, Clerk
By R. J. Meigs, Jr., Asst. Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that

this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Maria L. Birth, Anna M. Kille, Margaret B. Vanderver, Kate S. Birth and Charles W. Birth, Appellants vs. William W. Birth. — Appeal from the Supreme Court of the District of Columbia.

1157.

This cause being called to the attention of the Court by Mr. Walter H. Smith, of counsel for the appellants, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

216. Edward Warren et al., vs. Frank S. Moody et al., Assignees &c. Appellants

Mr. M. L. Woods, of counsel for the appellees, submitted to the consideration of the Court a motion to set aside the decree entered by this Court in this cause and to dismiss the appeal for the want of jurisdiction.

Proclamation being made the Court is adjourned until Friday next at twelve o'clock.

Friday, May 27th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. F. Murphy it is ordered that Theodore F. Jenkins, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. E. Davis it is ordered that Samuel A. Macallister, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that Chilion P. Conger, Esquire, of Port Huron, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Robert Irvine and Charles L. Beissner,	Appeal from the Circuit
295.	vs. Appellants,	Court of the
	The Steamship "Hesper" and	United States
	Cargo, George Horseley, Claim-	for the Eastern
	ant, (and George Ball and	District of
	George Sealey, Sureties).	Texas.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and without interest to the libellants on that decree.

per Mr. Justice Blatchford.

The United States,
266. vs. Plff. in Error,
Clement A. Auffmordt, John F. Degener, William Degener 2nd Adolph William Von Kessler.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

Charles Benziger, Nicholas Benziger, Martin Benziger and Louis Benziger vs. Pltffs. in Error
280. William H. Robertson Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. per Mr. Justice Blatchford.

Henry H. Porter,
1280. vs. Appellant
The Pittsburgh Bessemer Steel Co., limited, et al.

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Blatchford.

The New Process Fermentation Company,
298. vs. Appellant,
Magdalena Maus, Albert C. Maus, Frank A. Maus and Mathias Maus.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause

be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree establishing the validity of the third claim of the patent, and awarding a perpetual injunction and an account of profits and damages, and to take such further proceedings in the suit as may not be inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

277. Maurice Gandy, vs. E. M. Marble, as Commissioner of Patents, and his successor in office, as such Commissioner of Patents, for the time being. — Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Alexander R. Shepherd vs. Plff. in Error, John W. Thompson. In Error to the Supreme Court of the District of Columbia.

264.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

97. Roxana Simonton, Executrix of Robert F. Simonton, deceased, vs. Hiram Sibley and Paul P. Winston, Assignees in bankruptcy of Lancaster, Brown & Company. Appellant

Appeal from the Circuit Court of the United States for the Western District of North Carolina.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of North Carolina and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The United States ex rel: George W. Harshman,		In Error to the Circuit Court of the United States for the Eastern District of Missouri.
258. vs.	Plff. in Error,	
The County Court of Knox County and the Justices thereof.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a peremptory mandamus.

per Mr. Justice Matthews.

James M. Seibert, Collector of Cape Girardeau County, vs. Plff. in Error, The United States ex rel: James M. Lewis, Administrator of the estate of Elisha Foote, deceased. — In Error to the Circuit Court of the United States for the Eastern District of Missouri.

299.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

The Minneapolis Gas Light Company, vs. Appellant The Kerr Murray Manufacturing Company. — Appeal from the Circuit Court of the United States for the District of Minnesota.

297.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Minnesota.

per Mr. Justice Matthews.

305 Francis A. Drexel, Anthony D. Drexel, Charles H. Godfrey, Joseph W. Drexel, John Pierpont Morgan and G. Hood Wright, Appellants, vs. Louise Berney. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take such further proceedings therein as equity and justice may require.

per Mr. Justice Matthews.

Thomas Struthers, Pltf. in Error,
vs.
Joseph W. Drexel.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

2748.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Matthews.

253. Joseph Shippen, vs. Plff. in Error, Thomas M. Bowen. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs;

And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Field.

290. The Denver & Rio Grande Railway Company, Plff. in Error, vs. James Harris. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the Territory of New Mexico.

R. Waller & Company (judgment creditors of Lake & Austin), ... vs. Plffs. in Error,
Bickham & Moore.

In Error to the District Court of the United States for the Northern District of Mississippi.

302.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs; And it is further ordered that this judgment be entered nunc pro tunc as of the first day of the present term.

per Mr. Justice Harlan.

C. H. Goodett, Administrator of Simon Callahan, deceased,		In Error to the Circuit Court of the United States for the Middle District of Tennessee.
184.	vs. Plff. in Error,	
The Louisville & Nashville Railroad Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Eliza Adams, John D. Adams, Remillison Adams, Andrew J. Barnes, Moses Barnes, Benjamin Barnes, Sarah Vinson, Benson Barnes, Mattie Shropshire, Patience Lightfoot and Martha Hardy,

238. vs. Appellants

A. G. Riley, Assignee of Benjamin B. Barnes, a Bankrupt.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for such further proceedings as are consistent with the opinion of this Court.

133. James A. Wisner, Pltf. in Error vs. William A. Brown and William McPherson, Junior. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

203. The Philadelphia & Southern Mail Steamship Company Pltf. in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be disposed of in conformity to law and the opinion of this Court.

per Mr. Justice Bradley.

293. George W. Paxton, Jacob C. Lehman, James H. Walter, Eugene A. Grove, Jacob E. Barnitz, Elias Fisher and Thomas Creary, vs. Plffs. in Error, Charles Griswold, Lillie Ann Griswold and John C. Griswold, children and heirs at law of John Griswold, deceased.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration, whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

285. Z. A. Estes and J. H. Doan, partners as Estes & Doan, vs. S. H. Gunter, Beckham & Moore et al. Appellants, Appeal from the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said

District Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said District Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field.

250. The Argentine Mining Company, Plff. in Error, vs. The Terrible Mining Company. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	The Western Union Telegraph Company	In Error to the
267.	vs. Plff. in Error,	Supreme Court of
	William Pendleton.	the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Justice Field.

	Donald M. McLeod and	In Error to the
	A. A. A. Reid,	Circuit Court
268.	vs. Plffs. in Error,	of the United
	The Fourth National Bank	States for the
	of St. Louis.	Eastern Dis-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

296. The Travelers Insurance Company of Hartford, Connecticut, vs. Plff. in Error Catherine L. Edwards. In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Miller.

311. Samuel Clinton, vs. Plff. in Error The Missouri Pacific Railway Company. In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. In consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby,

remanded to the said Circuit Court for further proceedings to be had therein according to law.

per Mr. Justice Miller.

974. The United States vs. The Maxwell Land Grant Company et al. Appellant

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Miller.

241. James H. Fisher, vs. Wilfred Barrico, Administrator with the will annexed of William H. Perkins, deceased. Pff. in Error.

In Error to the Superior Court of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Kentucky,

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Benjamin P. Runkle,
259. vs. Appellant
The United States.

and

The United States,
260. vs. Appellant,
Benjamin P. Runkle.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause be, and

the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Waite.

George A. Morrison, John Herriman, Joseph C. Alexander, Joseph Beckel, Benjamin F. Beckel and Thomas Drew, Appellants vs. John Durr, Joseph Kennedy and Charles F. Mac Dermot. Appeal from the Circuit Court of the United States for the District of California.

270.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is

hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Chief Justice Waite.

The St. Louis, Iron Mountain & Southern Railway Company, Plff. in Error, vs. Elias R. Vickers. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

282.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas. per Mr. Chief Justice Waite.

	Emma C. Whitsitt, Sole devisee and heir at law of Richard E. Whitsitt, deceased,	Appeal from the Circuit Court of the United
309.	vs. Appellant.	States for
	The Union Depot and Railroad Company et al.	the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	The Texas Transportation Company, Alexander C. Hutchinson et al.,	Appeal from the Circuit Court of the
841.	vs. Appellants	United
	George Seeligson, Administrator of Henry Seeligson, deceased.	States for the Eastern District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and was argued by coun-sel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

777. The Burlington, Cedar Rapids & Northern Railway Company, vs. Charles L. Dunn, by Ellis Stone Gorman, his guardian ad litem. Pltff. in Error — In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and was argued by counsel. On considera-tion whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Waite.

The Thorn Wire Hedge Company, J. W. Calkins, Aaron K. Stiles and Gary G. Calkins,		In Error to the Circuit Court of the United States for the District of Minnesota.
1371.	vs. Pltffs. in Error.	
Cassius D. Fuller and Burt G. Patrick.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

300. The Central Railroad and Banking Company of Georgia, vs. Plff. in Error, James C. McKenzie. In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

1387. Thomas F. Bayard, Secretary of State, vs. Plff. in Error, The U. S. ex rel: S. U. White.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second day of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite.

77. The Merchants Mutual Insurance Company, vs. Appellant. George D. Allen.

and

78. The Merchants Mutual Insurance Company, vs. Appellant. Silas Weeks.

On consideration of the petition for a rehearing in these cases, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

216. Edward Warren et al., vs. Frank S. Moody et al., Assignees &c. Appellants

In consideration of the motion to set aside the decree entered in this cause by this Court and to dismiss the appeal for want of jurisdiction, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

650. Johnson N. Camden, vs. F. L. B. Mayhew & Co. et al. Appellant,

On consideration of the motion of the attorney for the appellant, and by consent of the appellees, It is considered and ordered by the Court that the appeal and supersedeas in this case, except as to so much of it as gives a personal decree against appellant, be and the same are hereby vacated and dismissed, but said appeal and supersedeas are to remain in full force and effect as to the part of said decree excepted from the operation of this order. And

this order is to be without prejudice to the right of said appellant to prosecute said appeal to said excepted part of said decree to a final hearing and determination in this Court. All of which is ordered to be certified to the Court below.

per Mr. Chief Justice Waite.

The Cleveland Rolling Mill Co., Pltff. in Error
vs.
169. Charles D. Rhodes et al.

On consideration of the motion to modify the judgment entered by this Court in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Order.

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered

of record, viz:

For the First Circuit, Horace Gray, Associate Justice.

For the Second Circuit, Samuel Blatchford, Associate Justice.

For the Third Circuit, Joseph B. Bradley, Associate Justice.

For the Fourth Circuit, Morrison R. Waite, Chief Justice.

For the Fifth Circuit, John M. Harlan, Associate Justice.

For the Sixth Circuit, Stanley Matthews, Associate Justice.

For the Seventh Circuit, John M. Harlan, Associate Justice.

For the Eighth Circuit, Samuel F. Miller, Associate Justice.

For the Ninth Circuit, Stephen J. Field, Associate Justice.

Ex parte: In the matter of George K. Grove, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus, It is

now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

William D. Andrews et al., Appellants
196. vs.
George Novey.
and
William D. Andrews et al., Appellants
440. vs.
Royal D. Cone.

It is now here ordered by the Court that the records in these cases be printed under the order entered in 196 on April 5th 1887, on or before August 1st next.

per Mr. Chief Justice Waite.

The Sun Mutual Insurance Company of New Orleans et al., Appellants
136. vs.
The Kountz Line et al.

On motion of Mr. A.H. Garland, of counsel for the appellees. It is ordered by the Court that the mandate in this case be withheld and that leave be granted to file a petition for rehearing at the next term.

Emily Hoyt, Mr. Howard C.
589. vs. Appellant Lady, of counsel
Anna Hanbury etal. for the appellant,
suggested the death

of Emily Hoyt, the appellant in this cause, and moved the Court to make Louis B. Shields Administrator of the said Emily Hoyt, the party appellant in this cause. Whereupon, It is now here ordered by the Court that Louis B. Shields, Administrator of Emily Hoyt, deceased, as aforesaid, be, and he is hereby, made the party appellant in this cause.

Florida Laughlin, Mr. A.A. Freeman,
210. vs. Appellant, in behalf of coun-
Joseph D. Mitchell. sel for the appellant,
moved the Court

to stay the issuance of the mandate in this cause and for leave to file a petition for a rehearing. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

163. William Barnes, Trustee, Appellant, vs. The Chicago, Milwaukee & St. Paul Railway Co.

Mr. William Barnes, of counsel for the appellant, moved the Court to stay the issuance of the mandate in this cause and for leave to file a petition for a rehearing. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

300. The Central Railroad & Banking Company of Georgia, Plff. in Error, vs. James G. McKenzie.

Mr. M. F. Morris, of counsel for the plaintiff in error, moved the Court to stay the issuance of the mandate in this cause and for leave to file a petition for a rehearing. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Henry J. Coghlan, Appellant
1089. vs. Appeal from the
The South Carolina Rail- Circuit Court
road Company et al. of the United
States for the
District of
South Carolina.

This cause being called to the attention of the Court by Mr. W. Hallett Phillips, in behalf of counsel, and a motion by the appellant to dismiss this cause having been filed, It is, Thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Board of Commissioners
of Grant County, Indiana,
and Isaiah N. Cox, as
Treasurer,
520. vs. Appellants
Edward P. Kimball.

Appeal from
the Circuit
Court of the
United States
for the Dis-
trict of
Indiana.

This cause being called to the attention of the Court by Mr. W. Hallett Phillips, in behalf of counsel, and the authority of the appellant to dismiss this cause having been filed, It is, thereupon, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of by the Court be, and the same is hereby, continued until the next term of the Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States,
October Term
1887.

Monday, October 10th, 1887.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present Seat of the National Government of the United States on the second Monday of October (being the tenth day of the same month) in the year of our Lord one thousand eight hundred and eighty-seven, and of the Independence of the United States the one hundred and twelfth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Fred. W. Hinrichs, Esquire, of New York City, and Isaac M. Bryan, Esquire, of Greenville, State of South Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Watson it is ordered that Benjamin L. Sharpstein, Esquire, of Walla Walla, Territory of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge it is ordered that Wilbur F. Browder and John S. Rhea, Esquires, of Russellville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that John C. Tomlinson, Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. McGowan it is ordered that Levi Sprague, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. McElhone it is ordered that Abel Crook, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Semmes it is ordered that A. H. Leonard, Esquire, of New Orleans,

and Taliaferro Alexander, Esquire, of Shreveport, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury, it is ordered that Charles W. Dorsey, Esquire, of Washington, District of Columbia, and P. W. Fauntleroy, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Pollok it is ordered that W. H. L. Lee, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Clayton, it is

ordered that Robert A. Childs, Esquire, of Hinsdale, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin F. Butler it is ordered that Samuel W. Pennypacker, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket tomorrow with case No. 934, The State of Kansas ex rel: Tufts, vs. Ziebold & Nagelin, specially assigned for that day.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 11th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that John W. Dryden, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Randolph Tucker it is ordered that William W. Gordon, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Goode it is ordered that James E. Heath, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Selden it is ordered that George McIntosh, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Chester A. Arthur, late Collector &c.
vs. Plff. in Error,
Frederick Butterfield et al.
and
Chester A. Arthur, late Collector &c.
vs. Plff. in Error
Frederick Vietor et al.

Mr. Solicitor General Jenks, of counsel for the plaintiff in error, suggested the death of Chester A. Arthur, the plaintiff in error in these cases, and

167.

168.

moved the Court to make Charles E. Miller and Daniel G. Rollins, Executors of said Chester A. Arthur the parties plaintiffs in error in these cases. Whereupon, it is now here ordered by the Court that Charles E. Miller and Daniel G. Rollins, Executors of Chester A. Arthur, deceased, be, and they are hereby, made the parties plaintiffs in error in these cases.

The North Pennsylvania R.R. Co.
vs. Plff. in Error,
The Commercial National Bank of Chicago.

On motion of Mr. William A. Maury, in behalf

33.

of counsel. It is ordered by the Court that this cause be passed when reached to be restored to the call pursuant to section 9, rule 26.

Ex parte: In the matter of Rufus A. Ayers Petitioner.	Mr. William W. Gordon, of counsel for the petitioners, submitted to the consideration of the Court motions for leave to file petitions for writs of habeas corpus.
Ex parte: In the matter of John Scott, Petitioner.	
Ex parte: In the matter of J. B. McCabe, Petitioner.	
Ex parte: In the matter of William Henry, Petitioner.	Mr. Isaac M. Bryan, of counsel for the petitioner, submitted to the

consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

4. The City of New Orleans, Appellant, vs.
The U. S. ex rel: Myra Clark Gaines.
5. The City of New Orleans, Plff. in Error, vs.
The U. S. ex rel: Myra Clark Gaines.
15. The City of New Orleans, Appellant, vs.
Myra Clark Gaines.

Mr. William Reed Mills, of counsel, submitted to the consideration of the Court a motion to postpone the hearing of these cases.

The State of Indiana
vs. Complainant,
The State of Kentucky.

Mr. John C. Fay, in behalf of coun. sel for the com. plainant, sub. mitted to the consideration of the Court a motion for leave to file a bill in equity.

R. P. Voight & Company
1028. vs. Plffs. in Error
E. J. Wright.

Mr. John Goode, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to ad. vance this case.

1002. Thomas J. Muslin & Co. vs. Plffs. in Error. John Cadwalader, Col. lector &c. — On motion of Mr. H. E. Tremain, of counsel for the plaintiffs in error, and consent of Mr. Solicitor General Jenks, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with the case of Oelbermann et al., vs. Merritt, Collector &c., No. 47, as one case.

1012. Hugh Kelly vs. Plff. in Error. E. L. Hedden, Col. lector &c. — On motion of Mr. H. E. Tremain, and consent of Mr. Solicitor Jenks, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with the case of Whitney et al., vs. Robertson, Collector &c., No. 108, as one case.

7. Henry E. Davis, Admr. &c. vs. Appellant. John J. Key. — The death of John J. Key, the appellee in this cause,

having been suggested at the last term and an order of publication granted, It is, on motion of Mr. John Paul Jones, of counsel, now here ordered by the Court that Hettie Ann Key, Executrix of John J. Key, deceased, be, and she is hereby, made the party appellee in this cause.

Key Co. Graham vs. Plff. in Error Aaron W. Spencer. — In Error to the Circuit Court of the United States for the District of Massachusetts.

128.

This cause being called to the attention of the Court by Mr. J. Hubley Ashton, in behalf of counsel, and a stipulation to affirm the judgment of the Circuit Court of the United States for the District of Massachusetts having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, Clerk's costs in this Court to be paid by the plaintiff in error.

	Guy C. Graham	On motion of Mr. J.
128.	vs. Plff. in Error	Hubley Ashton, in be-
	Aaron W. Spencer.	half of counsel, leave
		is hereby granted the

Clerk to issue the mandate in this cause.

	R. Walter & Company	Mr. M. R. Walter,
302 of O.T. 1886.	vs. Plffs. in Error	of counsel for the
	Bickham & Moore.	plaintiffs in
		error, moved the

Court for leave to file a petition for re-hearing in this cause. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

	Everett DeWitt et al.,	On motion of Mr.
11.	vs. Plffs. in Error,	W. J. Johnston, of
	Charles McLaughlin.	counsel for the
	and	plaintiffs in error,
	George Friend et al.,	It is ordered by the
12.	vs. Plffs. in Error,	Court that these
	Tully R. Wise.	cases be postponed
		for hearing with

the case of the United States vs. Kate D. McLaughlin et al., etc 1027, per stipulation of

The Burlington, Cedar Rapids & Northern Rail-way Co.,
1019. vs. Appellant,
Charles E. Simmons, Trustee, The Farmers Loan & Trust Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. H. B. Turner and Mr. B. F. Lee, of counsel for the Farmers' Loan & Trust Co., in support of the same, and Mr. Thomas F. Withrow, in opposition thereto.

4. The City of New Orleans, Appellant, vs.
The U. S. ex rel: Myra Clark Gaines.
5. The City of New Orleans, Plff. in Error, vs.
The U. S. ex rel: Myra Clark Gaines.
15. The City of New Orleans, Appellant, vs.
Myra Clark Gaines.

The death of Myra Clark Gaines, the appellee and defendant in error in these cases having been suggested at the last term and an order of publication granted, It is, on motion of Mr. Thomas

J. Semmes, of counsel, now here ordered by the Court that James Y. Christmas and Hattie L. Whitney, Administrator and Administratrix of Myra Clark Gaines, deceased, be, and they are hereby, made the parties appellees & defendants in error in these cases.

4. The City of New Orleans, Appt., vs. The U.S. ex rel: Myra Clark Gaines.
5. The City of New Orleans, Plff. in Error, vs. The U.S. ex rel: Myra Clark Gaines.
15. The City of New Orleans, Appt., vs. Myra Clark Gaines.

Ordered by the Court that these cases be consolidated and heard as one case; and it is further ordered that Mr. William Reed Mills be, and he is hereby, granted leave to file a printed argument in these cases.

1089 of O. T. 1886.

Henry J. Coghlan, vs. The South Carolina R.R. Co. et al.

Appellant

On motion of Mr. James Lowndes, of counsel for the appellant, leave

is hereby granted him to withdraw the transcript of the record filed in this cause on leaving with the Clerk a receipt therefor.

Hugh Moltram Brooks &c. vs. The State of Missouri. — Pltff. in Error — Mr. P. W. Fauntleroy, of counsel for the plaintiff in error, filed

1150.

and submitted to the consideration of the Court a motion for leave to prosecute this cause in this Court without any taxation of Clerk's costs and cost of printing the record against the plaintiff in error.

The State of Missouri ex rel: George W. Harshman vs. John Winterbottom et al. — Pltff. in Error — The deaths of Elias U. Wilson and F. M. Gifford, two of the defendants in error in this cause, having been suggested at the last term and an order of publication granted, It is, on motion of Mr. John W. Dryden, of counsel for the defendants in error, now here ordered by the Court that Jane D. Wilson, Executrix

8.

of Elias U. Wilson, deceased, and Martha L. Gifford, Administratrix of F. M. Gifford, deceased, be, and they are hereby, made parties defendants in error in this cause.

Eb4. Alfred B. Pittman vs. John Churchill, Trustee, et al. Appellant

Mr. W. Hallett Phillips, in behalf of counsel, suggested the death of Alfred B. Pittman, the appellant in this cause, and the appointment of Wallon Farrar as Administrator of said Alfred B. Pittman, and also that pending the appeal Thomas Rigby purchased the property in controversy from said appellant and is now the sole owner and in possession thereof, subject to whatever lien the appellees may have thereon, and moved the Court to make said Wallon Farrar, Administrator of Alfred B. Pittman, deceased, and Thomas Rigby the parties appellants in this cause, per stipulation of counsel. Whereupon, It is now here ordered by the Court that said Wallon Farrar, as Administrator of Alfred B. Pittman, deceased, and Thomas Rigby, be, and

they are hereby, made the parties appellants in this cause, pursuant to said stipulation of counsel.

	The United States	Mr. Nathaniel Wilson, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.
1887.	vs. Appellant	
	The San Jacinto Tin Company et al.	

	The Davenport National Bank	This cause was submitted to the consideration of the Court, pursuant to the 20th rules, on the record and printed arguments
31.	vs. Plff. in Error,	
	The Board of Equalization in & for the City of Davenport Township, Scott County, Iowa, et al.	

by Mr. W. J. Dittoes, of counsel for the plaintiff in error, and Mr. E. E. Cook, of counsel for the defendants in error.

181. The Potomac Steamboat Co. vs. The Baker Salvage Company. Appellant

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, by Mr. Theodore E. Garnett Jr., of counsel for the appellant, and Mr. W. N. C. Ellis, of counsel for the appellees.

876. Henry S. Gilson vs. Plff. in Error, The Town of Dayton.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. George A. Sanders, of counsel for the plaintiff in error, and Mr. G. S. Eldredge, of counsel for the defendant in error.

1025. The United States, vs. The State of Louisiana. Appellant

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments, by Mr. Attorney General Garland and Mr. H. J. May,

of counsel for the appellant, and Mr. William E. Earle, of counsel for the appellees.

734. The State of Kansas ex rel: J. F. Tufts, Ass't. Atty. Gen'l., vs. Herman Zielbold, et al. Appellant

This cause was argued by Mr. Joseph H. Choate, and Mr. George G. Vest, of counsel for the appellees, and submitted on a printed argument by Mr. L. B. Bradford, of counsel for the appellant.

501. Quin Bohanan, vs. Plff. in Error, The State of Nebraska.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles O. Whedon and Mr. L. E. Mahoon, of counsel for the plaintiff in error, and Mr. William Leese, of counsel for the defendant in error.

Thomas F. Bayard,
Secretary of State.
738. vs. Pff. in Error,
The United States ex rel:
S. V. White.

The argument of this cause was commenced by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 12th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that Frederic W. Hall, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. S. U. White it is ordered that Charles J. Ransom, Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Rufus A. Ayers, Petitioner.
Ex parte: In the matter of John Scott, Petitioner.
And
Ex parte: In the matter of J. B. McCabe, Petitioner.

On consideration of the motions for leave to file petitions for writs of habeas corpus, It is now here ordered by the Court that said motions be, and the same are hereby, granted; and it is further ordered that writs of habeas corpus issue, as prayed in said petitions, returnable on the 17th instant.

The State of Indiana vs. The State of Kentucky. Complainant

On consideration of the motion for leave to file the bill of complaint,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that process issue as prayed for returnable on the first Monday in January next.

Hugh Hatcham Brooksvc. vs. The State of Missouri. Plff. in Error

1150. On consideration of the motion of Mr. P. W. Fauntleroy, It is ordered by the Court that the plaintiff in error be permitted to prosecute this case in this Court without giving security for Clerk's costs; and that he proceed at once under the provisions of rule 10, section 9, to select the portions of the record that he may deem necessary to the hearing of the cases, and that the defendant in error within thirty days from this date shall indicate any other portion of the record that shall be deemed necessary to the hearing. The motion as to the printing of the record is reserved until after the expiration of the time above specified.

938. Thomas F. Bayard, Secretary of State vs. Plff. in Error, The United States ex rel: S. U. White. The argument of this cause was continued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. S. U. White, of counsel for the defendant in error, and concluded by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error.

1. Francis Downs, Executor &c., vs. Appellant Edward J. Hubbard, Adm'r &c. On motion of Mr. B. F. Butler, of counsel for the appellant, one hour additional time is allowed counsel on each side in the argument of this case.

1. Francis Downs, Executor &c., vs. Appellant Edward J. Hubbard, Adm'r &c. The argument of this cause was commenced by

Mr. B. F. Butler, of counsel for the appellant, and continued by Mr. Charles W. Hornor, of counsel for the appellee, and Mr. O. D. Barrett, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 13th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford
Associate Justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

1. Francis Downs, Executor &c., vs. Edward J. Hubbard, Adm.r &c. Appellant

The argument of this cause was concluded by Mr. O. D. Barrett, of counsel for the appellant.

2. The Home Insurance Co., vs. The People of the State of New York. Pff. in Error,

Ordered by the Court that this cause be,

and the same is hereby, passed for hearing before a full bench.

3. G. P. and Z. J. Addinaton vs. Plffs. in Error & George W. Adams, Burke & Brother. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Saunie Robertson, of counsel for the plaintiffs in error, and Mr. M. L. Crawford, of counsel for the defendants in error.

4. The City of New Orleans vs. Appellant The U. S. ex rel. Jas. Y. Christmas & Hattie L. Whitney, Adm^x & Adm^x &c.

5. The City of New Orleans vs. Plff. in Error The U. S. ex rel. Jas. Y. Christmas & Hattie L. Whitney, Adm^x & Adm^x &c.

And

15. The City of New Orleans vs. Appellant; Jas. Y. Christmas & Hattie L. Whitney, Adm^x & Adm^x &c.

On motion of Mr. J. R. Beckwith, of counsel for the appellant and plaintiff in error, one hour additional time is allowed counsel on

each side in the argument of these cases.

The argument of these cases was commenced by Mr. Henry C. Miller, of counsel for the appellant and plaintiff in error, and continued by Mr. Alfred Goldthwaite, of counsel for the appellees and defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 14th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

4. The City of New Orleans vs. Appellant, and The U. S. ex rel. Jas Y. Christmas & Hattie L. Whitney, Adm^r & Adm^x &c.

5. The City of New Orleans vs. Plff. in Error, and The U. S. ex rel. Jas. Y. Christmas & Hattie L. Whitney, Adm^r & Adm^x &c.

The argument of these cases was continued by Mr. Thomas J. Semmes, of counsel for the Appellees

15. The City of New Orleans vs. Appellant / Jas. J. Christmas & Hattie L. Whitney, Admr. & Admx. &c. and defendants in error, and concluded by Mr. J. R. Beckwith, of counsel for the appellant and plaintiff in error.

1058. The United States vs. Appellant / The State of Alabama. This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record & printed arguments by Mr. Attorney General Garland, of counsel for the appellant, and Mr. Van H. Manning, of counsel for the appellee.

1059. The United States vs. Appellant / The State of Mississippi. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record & printed arguments by Mr. Attorney General Garland, of counsel for the appellant, and Mr. Van H. Manning, of counsel for the appellee.

Monday, October 17th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Samuel Blatchford
Associate Justices.
John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that John Ireland, Esquire, of Seguin, and William H. Pope, Esquire, of Marshall, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Crammond Kennedy, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Fay it is ordered that Charles W. Stayner, Esquire, of Salt Lake City, Utah Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse it is ordered that Woodbury Lowery, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

24. Andrew J. Coffee, Plff. in Error vs. James M. Groover, Everette P. Groover, Thomas J. McIntosh, Sallie E. McIntosh, Charles A. McIntosh, Georgia C. McIntosh and Charles A. Groover & M. Alice Groover, by their next friend James M. Groover. In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to proceed according to law and in conformity with the opinion of this Court.

per Mr. Justice Bradley.

3. G. P. and Z. T. Addington vs. Plffs. in Error & George Adams Burke & Brother. It having been suggested that this cause has been compromised and the debt paid, and that a stipulation has been entered into by the parties to the effect that the plaintiffs in error shall dismiss the suit,

It is ordered that unless the plaintiffs in error show cause to the contrary on or before the fourth Monday in November the writ be dismissed.

The Clerk will serve a copy of this order at once on the counsel for the plaintiffs in error of record, through the mails.

Per Mr. Chief Justice Waite.

501. Luin Bohanan vs. Plff. in Error & The State of Nebraska. It appearing that during the pendency of this writ the plaintiff in error has escaped and is not now within the control of the Court below, either actually, by being in custody, or constructively, by being out on bail, It is ordered that the

submission of the cause be set aside and that unless the plaintiff in error is brought or comes within the jurisdiction and under the control of the Court below on or before the last day of this term that the cause be there after left off the docket until directions to the contrary - Smith v. United States, 94 U.S., 97.

per Mr. Chief Justice Waite.

Ex parte: In the matter of William Henry, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that leave be granted counsel for the petitioner to file a printed argument in support of his motion for a rule to show cause, on or before the second Monday in November.

per Mr. Chief Justice Waite.

1028. R. P. Voight & Company, vs. E. J. Wright. Plffs. in Error On consideration of the motion to advance this

cause. It is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	The Pacific National Bank of Boston et al.,	Mr. A. H. Garland in behalf of Mr. A. A. Ranney, of counsel, submitted to the consideration of the Court a motion that these cases be heard together at some time to be fixed by the Court.
129.	vs. Plffs. in Error,	
	George Mixter.	
	The Pacific National Bank of Boston et al.,	
130.	vs. Plffs. in Error,	
	Henry M. Whitney.	
	Peter Butler, Receiver &c.,	
439.	vs. Appellant	
	Lewis Coleman et al.	
	and	
	The Pacific National Bank of Boston et al.,	
440.	vs. Plffs. in Error,	
	Daniel L. Dennon.	
	The United States	Mr. M. Mullany submitted to the consideration of the
1027.	vs. Appellant	
	Nate D. McLaughlin et al.	

Court a motion to advance this cause.

	Roger M. Sherman	On motion of
932.	vs. Pltf. in Error,	Mr. Roger M.
	Irving Grinnell et al.,	Sherman, It is
	Executors &c.	ordered by the
		Court that this

cause be, and the same is hereby, advanced pursuant to Rule 32.

	William L. Powell,	Mr. J. C. Fraley,
914.	vs. Plff. in Error,	in behalf of counsel,
	The Commonwealth of	submitted to the
	Pennsylvania.	consideration of
		the Court a motion

to advance this cause.

	Lewis H. Beeson et al.,	The death of
	Trustees &c.	Henry Johns,
98.	vs. Pltfs. in Error	one of the de-
	Henry Johns and Henry Ohrt.	fendants in
		error in this

cause having been heretofore suggested,

It is, on motion of Mr. William A. McKenney, in behalf of counsel, now here

ordered by the Court that John Johns, Administrator of Henry Johns, deceased, be, and he is hereby, made a party defendant in error in this cause.

959. Felix A. Mathews vs. The United States. Appellant, This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. George A. King, of counsel for the appellant, and Mr. Attorney General Garland and Mr. E. M. Watson, of counsel for the appellees.

16. William D. Andrews et al. vs. George Hovey. Appellants, Mr. Jed Lake, of counsel for the appellee, submitted to the consideration of the Court a motion for a judgment against the appellants for the sum of three hundred dollars and to dismiss the appeals or affirm the decree of the Circuit Court in this cause.

	Ex parte: In the matter of Rufus A. Ayers,	The Marshal of the United
4.	Original. Petitioner.	States for the
	Ex parte: In the matter of John Scott,	Eastern District of Vir-
5.	Original. Petitioner.	ginia, agree-
	and	ably to the writs
	Ex parte: In the matter of G. B. M Cabe,	of habeas corpus herein, to him
6.	Original. Petitioner.	directed, com-

manding him to have the bodies of the petitioners herein, in his custody, brings into Court here the said petitioners accordingly. Whereupon, It is now here ordered by the Court that said petitioners be, and they are hereby, committed to the custody of the Marshal of this Court, who being present takes charge of them.

	Ex parte: In the matter of Rufus A. Ayers,	The motions to as-
4.	Original. Petitioner.	sign these cases
	Ex parte: In the matter of John Scott,	for argument and to release the pe-

titioners on bail

	Ex parte: In the matter of J. B. McCabe,	Mr. William W. Gordon and Mr.
6,	Orginal- Petitioner.	J. Randolph Tucker, in Support of the same, and Mr. D. N. Chamberlain, in opposition thereto.
	The Liverpool & Great Western Steam Company, Limited,	Ordered by the Court that the motion to strike
56.	vs. Appellant,	out the return
	The Phoenix Insurance Co.	to the writ of
	and	certiorari here-
	The Liverpool & Great Western Steam Company, Limited,	in be, and the same is hereby,
57.	vs. Appellant,	postponed for
	The Insurance Company of North America.	hearing with the cases on their merits.

It is further ordered that Mr. Morton P. Henry be allowed to file a printed argument in these cases on the merits.

1008. John Finn vs. The United States. Appellant

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. C. Fletcher, of counsel for the appellant, and Mr. Attorney General Garland and Mr. H. J. May, of counsel for the appellee.

1121. The City of Shreveport vs. John R. Holmes. Plff. in Error,

1122. The City of Shreveport vs. John B. Crooks. Plff. in Error,

and

1123. The City of Shreveport vs. E. H. Carter. Plff. in Error

These cases were submitted to the consideration of the Court, pursuant to the 20th rule, on the records and printed arguments by Mr. Taliaferro Alexander and Mr. N. C. Blanchard, of counsel for the plaintiff in error, and Mr. A. H. Leonard, of counsel for the defendants in error.

The Guarantee Insurance, Trust & Safe Deposit Co., Adm^r vs., et als.
6. vs. Appellants
William Sellers et als.

This cause was argued by Mr. Charles S. Whitman, of counsel for the appellants, and Mr. J. C. Fraley and Mr. S. S. Hollingsworth, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 18th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Parkinson it is ordered that John C. Entrekin, Esquire, of Chillicothe, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered

that Edward H. Morris, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Rufus A. Ayers, Original - Petitioner. 14, On consideration of the motions to assign this case for argument and to release the petitioner on bail, It is now here ordered by the Court that this case be, and the same is hereby, assigned for argument on the second Monday of November next, and that the said petitioner be released on his personal recognizance in the sum of $1,000.00 conditioned to appear and abide the further order of this Court.

Thereupon the said petitioner, Rufus A. Ayers, being present, in open court, acknowledged himself to owe and stand justly indebted to the United States in the sum of one thousand dollars ($1,000.00), which sum he acknowledges shall be made and levied of his goods, chattels, lands and tenements to and for the use of the said United States in

case he, the said Rufus A. Ayers, shall not appear and abide the further order of this Court as aforesaid.

Ex parte: In the matter of John Scott 5, Original - Petitioner.

On consideration of the motions to assign this case for argument and to release the petitioner on bail, It is now here ordered by the Court that this case be, and the same is hereby, assigned for argument on the second Monday of November next, and that the said petitioner be released on his personal recognizance in the sum of $1,000.00, conditioned to appear and abide the further order of this Court.

Thereupon the said petitioner, John Scott, being present, in open Court, acknowledged himself to owe and stand justly indebted to the United States in the sum of one thousand dollars ($1,000.00), which sum he acknowledges shall be made and levied of his goods, chattels, lands and tenements to and for the use of the said United States in case he, the said John Scott, shall not

appear and abide the further order of this Court as aforesaid.

Ex parte: In the matter of J. B. McCabe, Original Petitioner.

On consideration of the motions to assign this case for argument and to release the petitioner on bail, It is now here ordered by the Court that this case be, and the same is hereby, assigned for argument on the second Monday of November next, and that the said petitioner be released on his personal recognizance in the sum of $1,000.00, conditioned to appear and abide the further order of this Court.

Thereupon the said petitioner, J. B. McCabe, being present, in open Court, acknowledged himself to owe and stand justly indebted to the United States in the sum of one thousand dollars, ($1,000.00), which sum he acknowledges shall be made and levied of his goods, chattels, lands and tenements to and for the use of the said United States, in case he, the said J. B. McCabe, shall not appear and abide the further order of this Court as aforesaid.

Wm D. Andrews et al. vs. George Hovey. Appellants

16. On consideration of the motions for a judgment against the appellants for three hundred dollars and to dismiss this appeal or affirm the decree of the Circuit Court in this cause, It is now here ordered by the Court that the motion to dismiss or affirm be, and the same is hereby, denied; and that the motion for a judgment be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Waite.

Frank Morey vs. John M. Lockhart. Appellant

233. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. Maury, in support of the same, and Mr. G. D. Rouse and Mr. William Grant, in opposition thereto.

7. Henry E. Davis, Admr. vs. vs. Appellant Hettie Ann Kay, Executrix vs. — This cause was argued by Mr. Henry E. Davis, of counsel for the appellant, and Mr. John Paul Jones, of counsel for the appellees.

8. The State of Missouri ex rel: George W. Harshman vs. Plff. in Error John Winterbottom et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. K. Skinker, of counsel for the plaintiffs in error, and Mr. Clinton Rowell and Mr. John W. Dryden, of counsel for the defendants in error.

9. Gordon McKay and James W. Brooks, Trustees of the McKay Metallic Fastening Association, vs. Appellants, Edmund M. Stowe, Charles C. Bills and Richard S. Whitney. — Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause being called for hearing in its

regular order, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by the appellants.

per Mr. Chief Justice Waite.

13. Hugh J. Murray, James E. Durfee, Josiah M. Merrill and Henry Schneppel, vs. James K. Pardee. Pltffs. in Error — In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, It is considered by the Court that this cause should be dismissed at the cost of the plaintiffs in error, pursuant to the 19th rule of this Court.

Whereupon, It is now here ordered and adjudged by this Court that this cause be,

and the same is hereby, dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

14. The Kansas Pacific Railway Co. vs. Benjamin W. Lewis, Jr. Appellant

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. P. Usher, of counsel for the appellant - No counsel appearing for the appellee.

16. William D. Andrews et al., vs. George Hovey. Appellants

Ordered by the Court that counsel on each side be allowed one hour additional time in the argument of this cause.

16. William D. Andrews et al., Appellants vs. George Hovey. The argument of this cause was commenced by Mr. J. C. Clayton, of counsel for the appellants, and continued by Mr. Jed Lake, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 19th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles King it is ordered that W. A. Hutchins and Nelson W. Evans, Esquires, of Portsmouth, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. H. Wilson it is ordered that Harvey D. Goulder, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

16. William D. Andrews et al., vs. George Hovey. Appellants

The argument of this cause was continued by Mr. Jed Lake, of counsel for the appellees, and concluded by Mr. A. L. Keasbey, of counsel for the appellants.

17. Charles B. Noard vs. The Chesapeake & Ohio Railway Company. Appellant

The death of Charles B. Noard, the appellant in this cause, having been heretofore suggested, It is, on motion of Mr. Enoch Totten, of counsel for the appellant, now here ordered by the Court that Samuel Floyd Noard and Pitt Noard, sole heirs at law and devisees under the last will and testament of Charles B. Noard, deceased, and

Samuel Floyd Hoard, Executor of Charles B. Hoard, deceased, be, and they are hereby, made the parties appellants in this cause.

Samuel Floyd Hoard & Pitt Hoard, sole heirs at law & devisees &c., vs. The Chesapeake & Ohio Railway Co. — Appellants

17.

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 20th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford
John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

	Herman R. Baltzer 2nd William G. Taaks,	Appeal from the Circuit Court
91.	vs. Appellants	of the United
	Henry Louis Bischoffsheim.	States for the Southern Dis-
		trict of New York.

This cause being called to the attention of the Court by Mr. William H. McKenney, in

behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, costs in this Court to be paid by the appellants.

per Mr. Chief Justice Waite.

	Samuel Floyd Noard & Pitt Noard, sole heirs at law & devisees &c.	The argument of this cause was continued by Mr. Enoch
17.	vs. Appellants,	Totten, of counsel
	The Chesapeake & Ohio Railway Co.	for the appellants, and Mr. W. J. Robertson, of counsel

for the appellee, and concluded by Mr. Enoch Totten, of counsel for the appellants.

	The Parker & Whipple Co. et al.,	This cause
18.	vs. Appellants	was argued
	The Yale Clock Company et al.	by Mr. C. E. Mitchell, of

counsel for the appellants, and Mr. C. R. Ingersoll, of counsel for the appellees.

John A. Coan,
21. vs. Plff. in Error
William J. Flagg.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles King, Mr. William B. King, Mr. A. L. Thompson and Mr. T. W. Evans, of counsel for the plaintiff in error, and Mr. W. A. Hutchins, of counsel for the defendant in error.

Morris Richter
25. vs. Appellant,
George Jerome, Survivor
vs. et al.

This cause was argued by Mr. Don M. Dickinson, of counsel for the appellant, and Mr. Walter D. Davidge, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 21st 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

On motion first made to the Court in this behalf by Mr. Thomas L. Bayne it is ordered that Walter D. Denégre, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Randolph Tucker it is ordered that William P. Black and Moses Salomon, Esquires, of Chicago, State of

Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George G. Vest it is ordered that William G. Ewing, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that J. G. Zachry, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1018. Fritz Menken, Plff. in Error, vs. The City of Atlanta.
1091. Chris. Bonn, ... D. W. McLane.
1092. A. E. Horaig, ... J. T. Craig.
1093. Phil Leicht Jr., ... D. W. McLane et al.
1094. Chris. Bonn, ... Wm. H. Thrasher et al.

Mr. J. W. Packard filed and submitted to the consideration of the Court motions to advance these cases, to withhold the decisions in cases Nos. 19, 20 and 93½, and to allow more than two counsel to be heard on each side in the argument of these cases.

Ex parte: In the matter of August Spies et al., Petitioners. The petition for the allowance of a writ of error to the Supreme Court of the State of Illinois was argued by Mr. Roger A. Pryor, in support of the petition.

56. The Liverpool & Great Western Steam Company, Limited, vs. Appellant, The Phoenix Insurance Co. and

57. The Liverpool & Great Western Steam Company, Limited, vs. Appellant The Insurance Company of North America.

On motion of Mr. William A. Maury, leave is hereby granted Mr. William D. Shipman to file a printed

Brief in these cases, copies of the same to be served on counsel of record and subject to their objections.

Elbridge Tufts
26. vs. Appellant
Don C. Tufts, Adm. &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ben Sheets and Mr. J. L. Rawlins, of counsel for the appellant, and Mr. Arthur Brown, of counsel for the appellee.

Catherine Henderson
27. vs. Plff. in Error,
The Louisville & Nashville R.R. Co.

This cause was argued by Mr. Thomas L. Payne, of counsel for the defendant in error, and submitted on a printed argument by Mr. O. B. Ransum, of counsel for the plaintiff in error.

Jane C. Hite,
468. vs. Appellant
William P. Jenks.

On motion of Mr. Enoch Totten, of counsel for the appellant, It is ordered

by the Court that this cause be advanced and heard with No. 28.

	Jane C. Fitz	Mr. Enoch Totten, of
28.	vs. Appellant	counsel for the ap-
	William P. Jenks.	pellant, suggested the
	And	death of William P.
	Jane C. Fitz	Jenks, the appellee
1168.	vs. Appellant	in these cases, and
	William P. Jenks.	moved the Court to

make John Story Jenks, William Henry Jenks and Evan Randolph, Executors of the last will and testament of William P. Jenks, deceased, the parties appellees in these cases. Whereupon, It is now here ordered by the Court that the said John Story Jenks, William Henry Jenks and Evan Randolph, Executors of the last will and testament of William P. Jenks, deceased, be, and they are hereby, made the parties appellees in these cases.

28.	Jane C. Hilz vs. Appellant John Story Jenks et al., Executors &c. And	These cases were argued by Mr. Enoch Totten, of counsel for the appellant, and Mr. Walter D. Davidge, of counsel for the appellees.
468.	Jane C. Hilz vs. Appellant John Story Jenks et al., Executors &c.	

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 24th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Alexander Blumenstiel, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is

ordered that Laurence Godkin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Potomac Steamboat Company, Claimant of the Steamer "Excelsior,"		Appeal from the Circuit Court of the United States for the Eastern District of Virginia.
181.	vs. Appellant	
The Baker Salvage Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

The Sun Mutual Insurance Company of New Orleans et al. vs. The Kountz Line et al. Appellants

136 of O. J. 1886.

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied; and that the mandate be modified so as to read as follows:

"The decree in so far as it dismisses the original libel of the appellants, The Sun Mutual Insurance Company of New Orleans and the Hibernia Insurance Company of New Orleans and adjudges that the H. Moore Transportation Company and the K. P. Kountz Transportation Company, respectively, recover from said appellants the cost and expenses of the seizure, detention and sale of the Steamboats J. B. M. Kehlor and Katie P. Kountz, respectively, is reversed, and the cause is remanded with directions to the Court below to set aside all orders inconsistent with the rights of said appellants as declared in the opinion of this Court, and to enter

such orders and decrees as may be in conformity therewith."

per Mr. Justice Harlan.

The Orient Mutual Insurance Company vs. Plff. in Error,		In Error to the Circuit Court of the United States for the Western District of Pennsylvania.
23.	John S. Adams, suing under the designation of J. S. Adams, and Charles F. Adams, suing under the designation of C. F. Adams.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania. per Mr. Justice Harlan.

1095. The United States vs. The State of Louisiana. Appellant, Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Field.

1058. The United States vs. The State of Alabama. Appellant Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Field.

	The United States	Appeal from the
1059.	vs. Appellant	Court of
	The State of Mississippi.	Claims.

This cause came on to be heard on the Transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Field.

	Henry S. Gilson	In Error to the Circuit
876.	vs. Plff. in Error	Court of the United
	The Town of Dayton.	States for the Northern
		District of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be,

and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

1019. The Burlington, Cedar Rapids & Northern Railway Company, vs. Appellant, Charles E. Simmons, Trustee, The Farmers Loan & Trust Company and Frederick Taylor, successor &c. — Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and on the motion to dismiss which was argued by counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

	Frank Morey	Appeal from the Circuit
233.	vs. Appellant	Court of the United States
	John M. Lockhart.	for the Eastern District
		of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on the motion to dismiss the appeal or affirm the decree which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

	The Pacific National	On considera-
	Bank of Boston et al.,	tion of the mo-
129.	vs. Plffs. in Error,	tion that these
	George Mixter.	cases be heard
	The Pacific National	together and
	Bank of Boston et al.	that a day be
130	vs. Plffs. in Error,	fixed for the
	Henry M. Whitney.	argument, It

	Peter Butler, Receiver &c.,	is now here
439.	vs. Appellant	ordered by the
	Lewis Coleman et al.	Court that
	and	cases Nos. 439
	The Pacific National	and 440 be,
	Bank of Boston et al.	and they are
440.	vs. Plffs. in Error	hereby, advanced
	Daniel L. Demmon.	for hearing with
		Nos. 129 and 130

when they are reached in the call of the docket.

per Mr. Chief Justice Waite.

	The United States,	On consideration of
887.	vs. Appellant	the motion to advance
	The San Jacinto Tin	this cause, It is
	Co. et al.	ordered by the Court
		that said motion

be, and the same is hereby, granted and the cause assigned for argument at the head of the call on the first day after the holiday recess.

per Mr. Chief Justice Waite.

William L. Powell,
vs. Plff. in Error,
The Commonwealth
of Pennsylvania.

On consideration of the motion to advance this cause. It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first day after the holiday recess after No. 887.

per Mr. Chief Justice Waite.

1027. The United States,
vs. Appellant
Kate D. McLaughlin et al.

On consideration of the motion to advance this cause. It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument at the foot of the calls for the first Monday in December.

per Mr. Chief Justice Waite.

Monday, October 24th 1887, Continued:

1018. Fritz Henson, Plff in Error, vs. The City of Atlanta.
1091. Chris. Bonn. . . . . D. W. McLane.
1092. A. E. Florang, ... J. A. Craig.
1093. Phil Leicht Jr., ... D. W. McLane et al.
1094. Chris. Bonn, ... W. F. Thrasher et al.

In consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Waite.

Ex parte: In the matter of August Spies et al., Petitioners. . . . . Ordered by the Court that the further hearing of the petition for a writ of error to the Supreme Court of the State of Illinois be assigned for Thursday next

per Mr. Chief Justice Waite.

Edward N. Morris, Receiver &c., vs. E. G. Spaulding et al. 1170. Appellant

Mr. Attorney General Garland submitted to the consideration of the Court a motion

	The Kansas Pacific Railway Co.,	Mr. J. M. Wilson, in behalf of coun-
14.	vs. Appellant	sel, submitted to
	Benjamin W. Lewis Jr.	the consideration
		of the Court a

motion to set aside the submission of this cause and to restore it to the docket.

	The New Orleans Pacific Railway Company,	Mr. John S. Blair, of coun-
575.	vs. Appellant,	sel for the ap-
	The United States.	pellant, sub-
		mitted to the

consideration of the Court a motion to advance this cause.

	The Liverpool & Great Western Steam Company, Limited,	On motion of
56.	vs. Appellant,	Mr. Lawrence
	The Phoenix Insurance Co.	Godkin leave
	and	is hereby
	The Liverpool & Great Western Steam Company, Limited,	granted him
57.	vs. Appellant,	to file a print-
	The Insurance Company	ed argument
	of North America.	in these cases
		in behalf of the

134.	The State of Kansas ex rel: J. C. Fulls, Ass't Atty. Gen'l &c., vs. Herman Ziebold et al.	Mr. S. B. Bradford of counsel for the appellant,

submitted to the consideration of the Court a motion for leave to make an oral argument in this cause on behalf of the appellant.

21.	John A. Coan, vs. Plff. in Error, William L. Flagg.	On motion of Mr. William B. King, of counsel for the plaintiff in error, leave

is hereby granted him to file a brief in reply in this cause.

1009.	Joseph J. Smith, vs. Plff. in Error The State of Alabama.	Mr. William A. Maury, in behalf of counsel, submitted

to the consideration of the Court a motion to advance this cause.

367. Cyrus Woodman et al., Plffs. in Error, vs. The Missionary Society of the Methodist Episcopal Church. Mr. George Wm Moore, by leave of the Court, filed the petition of Albert M. Henry to vacate the order entered herein dismissing this cause.

29. The Smith & Griggs Manufacturing Company, Appellant, vs. Leonard A. Sprague. Mr. C. E. Mitchell, of counsel for the appellee, suggested the death of Leonard A. Sprague, the appellee in this cause, and moved the Court to make Delia Sprague, Administratrix of Leonard A. Sprague, deceased, the party appellee in this cause. Whereupon, It is now here ordered by the Court, that said Delia Sprague, Administratrix of Leonard A. Sprague, deceased, be, and she is hereby, made the party appellee in this cause.

29.	The Smith & Griggs Manufacturing Company, vs. Delia Sprague, Adm'x &c. Appellant,	The argument of this cause was commenced by Mr. H. B. Philipp, of

counsel for the appellant, continued by Mr. Charles E. Mitchell, of counsel for the appellee, and concluded by Mr. George E. Terry, of counsel for the appellant.

30.	The United States, vs. Plff. in Error The Philadelphia & Reading Railroad Company.	Ordered by the Court that this cause be passed until tomorrow.
33.	The North Pennsylvania Railroad Company, vs. Plff. in Error The Commercial National Bank of Chicago.	Ordered by the Court that this cause be, and the same is hereby, passed sub-

ject to the provisions of Section 9, Rule 26.

34. James Doolan et al., vs. Plffs. in Error, William B. Carr. The argument of this cause was commenced by Mr. Mich. Mullany, of counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 25th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

698. Howard D. Potts vs. The United States. Appellant,

On motion of Mr. R. B. Lines, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 158 as one case.

282. Edwin A. Merritt, late Collector &c. vs. Plff. in Error, Jose Moller et al. — Mr. J. F. Manning submitted to the consideration of the Court a motion to advance this cause.

233. Frank Morey, vs. Appellant John M. Lockhart. — On motion of Mr. W. A. Maury, of counsel for the appellee, leave is hereby granted the Clerk to issues the mandate in this cause.

34. James Doolan et al., vs. Plffs. in Error, William B. Carr. — The argument of this cause was continued by Mr. Mich. Mullany, of counsel for the plaintiffs in error, and Mr. Walter N. Smith, of counsel for the defendant in error, and concluded by Mr. Mich. Mullany, of counsel for the plaintiffs in error.

The United States.
30. vs. Pff. in Error.
The Philadelphia & Reading Railroad Company.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. Thomas Hart Jr., of counsel for the defendant in error.

The Baltimore & Potomac Railroad Company,
35. vs. Pff. in Error,
The District of Columbia.

Mr. Enoch Totten, of counsel for the plaintiff in error, called the attention of the Court to a motion to dismiss filed herein and made a statement in relation thereto. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

The United States
36. vs. Appellant,
Mathilde de Morantet al.

The argument of this cause was commenced by Mr. Solicitor General Jenks, of counsel for the appellant.

Proclamation being made the Court is adjourned

Wednesday, October 26th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Burdett it is ordered that William Crosby, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Hunt it is ordered

that Julius S. Grinnell, Esquire, of Chicago, and Elbert S. Smith, Esquire, of Springfield, State of Illinois, be admitted to practice as as attorneys and counsellors of this Court and they were sworn accordingly.

934. The State of Kansas ex rel: J. F. Tufts, Asst. Atty. Gen'l. vs. Herman Ziebold et al. Appellant

On consideration of the motion of counsel for the appellant for leave to make an oral argument in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1092. The United States, vs. Dennis W. Mullan. Appellant

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. R B. Lines and Mr. John

Paul Jones, of counsel for the appellees.

	The United States	This cause was sub-
283.	vs. Appellant,	mitted to the consider-
	R. W. Allen.	ation of the Court
		on the record and

printed arguments, pursuant to the 20th rule, by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr F. P. Dewees, of counsel for the appellant, and Mr. R. B. Lines and Mr. John Paul Jones, of counsel for the appellees.

	The Pennsylvania Railroad	On Error to
	Company,	the Circuit
282.	vs. Plff. in Error,	Court of the
	Henry L. Janeway, Frank	United States
	L. Janeway and William R.	for the District
	Janeway.	of New Jersey.

This cause being called to the attention of the Court by Mr. Enoch Totten, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation,

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed; clerk's costs in this Court to be paid by the plaintiff in error.

per Mr. Chief Justice Waite.

882. The Pennsylvania R.R. Co., Plff. in Error, vs. Henry L. Janeway et al.

On motion of Mr. Enoch Totten, in behalf of counsel, leave is hereby granted the clerk to issue the mandate in this cause.

36. The United States, Appellant, vs. Mathilde de Morant et al.

The argument of this cause was continued by Mr. Solicitor General Jenks, of counsel for the appellant, and Mr. Abram Wintersteen, (by special leave of the Court), of counsel for the appellees, and concluded by Mr. Solicitor General Jenks, of counsel for the appellant.

	The Baltimore & Potomac Railroad Company,	In Error to the Supreme Court
35.	vs. Plff. in Error,	of the District of
	The District of Columbia.	Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	James M. Kennedy, Robert Baxter & Hugo Vogle, as County Commissioners of the County of Nance,	Appeal from the Circuit Court of the
37.	vs. Appellants	United States
	Bartley Lamb, Frank Hodges, B. M. Umstead, Nelson W. Main et al.	for the District of Nebraska.

This cause being called for hearing in its regular order and a motion by the appellants

to dismiss this cause having been filed, It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

38. The New Orleans Water Works Company, vs. Plff. in Error, The Louisiana Sugar Refining Company.

The argument of this cause was commenced by Mr. J. R. Beck. with, of counsel for the plaintiff in error, and continued by Mr. S. Tackle Wallis, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 27th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray, and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Hunt it is ordered that George Burry, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin F. Butler it is

ordered that James A. Gilton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The New Orleans Water Works Co.,	The argument of this cause was
38.	vs. Plff. in Error	continued by Mr.
	The Louisiana Sugar Refining Co. et al.	S. Jackle Wallis, of counsel for the defendants in

error, and concluded by Mr. J. R. Beck. with, of counsel for the plaintiff in error.

	Ex parte: In the matter	On motion of
	of August Spies et al.,	Mr. B. F. Butler
	Petitioners.	of counsel for the

petitioners, Ordered by the Court that counsel for the petitioners and for the State of Illinois be allowed three hours respectively in the argument of this cause.

Ex parte: In the matter of August Spies et al., Petitioners. The argument on the petition was commenced by Mr. J. Randolph Tucker, in support of the same, and continued by Mr. George Hunt, in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 28th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Wilshire it is ordered that Frank V. Drake, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. J. Smiley it is ordered

that Harvey D. Talcott, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The State of Missouri ex rel: J. H. Carey,	Mr. J. Randolph Tucker, in behalf of counsel,
1085.	vs. Plff. in Error,	submitted to the con-
	Joseph Andriano.	sideration of the Court
		a motion to advance

this cause.

	Ex parte: In the matter	The argument on the
	of August Spies et al.,	petition was contin-
	Petitioners.	ued by Mr. Julius
		S. Grinnell, in op-

position thereto, and concluded by Mr. Benjamin F. Butler, in support of the same.

	Alfred B. Lawther,	The argument of this cause
39.	vs. Appellant,	was commenced by Mr.
	Charles S. Hamilton et als.	John W. Munday of coun-
		sel for the appellant.

Proclamation being made the Court is adjourned un-

Monday, October 31st 1887.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Buchanan it is ordered that J. Frank Fort, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it

is ordered that W. S. Parkerson, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that George O'Doherty, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry E. Davis, Administrator de bonis non of Philip B. Fouke, deceased, Appellant, vs. Hettie Ann Key, Executrix of John J. Key, deceased. } Appeal from the Supreme Court of the District of Columbia.

7.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration

whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

	The Parker & Whipple Company and Arthur E. Holchkiss,	Appeal from the Circuit
18.	vs. Appellants,	Court of the
	The Yale Clock Company and Henry C. Shelton, Frederick A. Lane and Paschal Converse.	United States for the District of Connecticut.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

27.	Catharine Henderson vs. Plff. in Error, The Louisville & Nashville Railroad Company.	In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

1.	Francis Downs, Executor of William Craig, deceased, vs. Appellant, Edward G. Hubbard, Administrator of Thomas Leitensdorfer, deceased.	Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Matthews.

21. John A. Coan, Plff. in Error, vs. William J. Flagg. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same

is hereby, affirmed with costs.

per Mr. Justice Matthews.

Felix A. Mathews, Appeal from the
359. vs. Appellant, Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now hereordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

John Finn, Appeal from the
1008. vs. Appellant, Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Lorenzo Bulls, Charles N. Bulls and Edward J. Carter, partners as L. & C. N. Bulls,		In Error to the Circuit Court
32.	vs. Plffs. in Error,	of the United States for the
The First National Bank of Nasson and A. La Due.		District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiffs, upon the findings.

The State of Missouri, who sues at the relation and to the use of George W. Harshman, vs. Plff. in Error, John Winterbottom, Philip B. Linville, Jacob Pugh, J. F. Biggerstaff, James Cody, Martha G. Gifford, Administratrix of F. M. Gifford, deceased, Jane D. Wilson, Executrix of Elias U. Wilson, deceased, John McGennis, George Taylor, Thomas Burk and Thomas Bresner. } In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The Davenport National Bank.

31. vs. Plff. in Error,

The Board of Equalization in and for the City of Davenport Township, Scott County, Iowa; The County of Scott in the State of Iowa, The Board of Equalization in and for the City of Davenport, Iowa, and the City of Davenport, Iowa.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

	Elbridge Tufts,	Appeal from
26.	vs. Appellant,	the Supreme
	Don C. Tufts, Admininistrator	Court of the
	of the estate of Elmira P. Tufts,	Territory of
	deceased.	Utah.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	Joseph J. Smith,	On consideration
009	vs. Plff. in Error,	of the motion to
	The State of Alabama.	advance this
		cause, It is or-

dered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument after No. 911, on the first day that the Court may be in session af-

Edward N. Morris, Receiver &c., ... vs. ..... Appellant,
1170. E. L. Spalding et al.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Edwin C. Merritt, late Collector &c., ... vs. ..... Plff. in Error
1282. Jose C. Moller et al.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

The State of Missouri ex rel: J. N. Carey, ... vs. ..... Plff. in Error,
1055. Joseph C. Andriano.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	The New Orleans Pacific Railway Company.	On consideration of the motion to advance this cause, It is ordered by the
575.	vs. Appellant,	
	The United States.	

Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	The Kansas Pacific Railway Company	On consideration of the motion to
14.	vs. Appellant	set aside the submission of this
	Benjamin W. Lewis Jr.	cause and to

restore it to the docket. It is now hereordered by the Court that said motion be, and the same is hereby, denied.

Amendment to Rule 20.

The first subdivision of Rule 20 is amended so as to read as follows:

Rule 20.

Printed arguments.

1. In all cases brought here on writ of error, appeal or otherwise, the Court will receive

printed arguments without regard to the number of the case on the docket, if the counsel on both sides shall choose to submit the same within the first ninety days of the term; and, in addition, appeals from the Court of Claims may be submitted by both parties within thirty days after they are docketed, but not after the first day of April; but twenty-five copies of the arguments, signed by attorneys or counsellors of this Court, must be first filed.

Per Mr. Chief Justice Waite.

	William H. Tompkins,	Mr. A. H.
70.	vs. Appellant,	Garland, of
	The Little Rock & Fort Smith	counsel for the
	Railroad Company et al.	appellants,
	and	submitted to
	William S. Williams,	the considera-
71.	vs. Appellant,	tion of the
	The Little Rock, Mississippi	Court a mo-
	River & Texas Railway et al.	tion to post-
		pone these
	cases for argument before a full bench.	

219. The United States, vs. Appellant The American Bell Telephone Company. — Mr. Solicitor General Jenks, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

752. David Richmond vs. Plff. in Error, Marshal B. Blake, Collector &c. — Mr. Solicitor General Jenks, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

581. The Baltimore & Ohio R.R. Co., vs. Plff. in Error, John Burns & John C. Nokes. — On motion of Mr. Albert Constable, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d Rule.

214. Richard B. Chapman vs. Plff. in Error, Edward K. Goodnow.

and

215. Richard B. Chapman vs. Plff. in Error, Edward K. Goodnow.

Mr. George Crane, of counsel for the defendant in error, suggested the death of Edward K. Goodnow, the defendant in error in these cases, and moved the Court to make George Crane, Administrator of the said Edward K. Goodnow, the party defendant in error in these cases. Whereupon, It is ordered by the Court that George Crane, Administrator of Edward K. Goodnow, deceased, be, and he is hereby, made the party defendant in error in these cases.

1292. Charles H. Leonard, vs. Appellant, Louis S. Lovell.

Mr. E. H. Marble, of counsel for the appellee, having filed in open Court the following certificate, to wit:

The Circuit Court of the United States for the Western District of Michigan.

I, Charles L. Filch, Clerk of the Circuit Court of the United States for the Western District of Michigan, do hereby certify that in a certain cause pending in said Court wherein Charles H. Leonard was complainant and Louis S. Lovell was defendant a final decree was rendered by said Circuit Court on the eighth day of December, A. D. 1886, in favor of the defendant and against said complainant and that on the fourteenth day of December A. D. 1886, said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court at Grand Rapids, Michigan, this twenty-sixth day of October, A. D. 1887.

(Seal)

Charles L. Filch

Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule, and

it appearing to the Court that the appellant has failed to have his case filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Michigan be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

124. Linus M. Price, Appellant, vs. Louis M. Meyer and George A. Lowe, Trustees, &c. The Utah & Pleasant Valley Railway Company. — Appeal from the Supreme Court of Utah Territory.

This cause being called to the attention of the Court by Mr. B. H. Bristow, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is thereupon, in

pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed; Clerk's costs in this Court to be paid by the appellant.

per Mr. Chief Justice Waite.

39. Alfred B. Lawther, Appellant vs. Charles S. Hamilton et al.

The argument of this cause was continued by Mr. Charles E. Shepard, of counsel for the appellees, and concluded by Mr. John W. Munday, of counsel for the appellant.

40. Louis Lands, Plff. in Error, vs. The Manistee River Improvement Company.

41. Charles F. Ruggles, Plff. in Error, vs. The Manistee River Improvement Company.

These cases were argued by Mr. M. J. Smiley, of counsel for the plaintiffs in error, and Mr. T. E. Ramsdell, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Tuesday, November 1st, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles A. Eldredge it is ordered that Jerome Buck and William J. Best, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1041. The United States ex rel: James K. McLean, vs. Plff. in Error, William F. Vilas, Postmaster General. — Mr. S. F. Phillips, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1082. The County of Dakota et al., vs. Plffs. in Error, The State of Nebraska ex rel: The Society for Savings of Cleveland. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. M. Woolworth, in support of the same, and Mr. A. J. Popplelon and Mr. J. M. Thurston, in opposition thereto.

42. Thomas H. Stryker, Executor &c., Plff. in Error, vs. George Crane, Admr. &c.

43. Thomas H. Stryker, Executor &c., Plff. in Error, vs. George Crane, Admr. &c.

44. E. H. Litchfield, Admr. &c., Plff. in Error, vs. George Crane, Admr. &c.

145. The Des Moines Navigation & R.R. Co., Plff. in Error, vs. The Iowa Homestead Co.

214. Richard B. Chapman, Plff. in Error, vs. George Crane, Admr. &c.

215. Richard B. Chapman, Plff. in Error, vs. George Crane, Admr. &c.

350. J. B. Plumb, Plff. in Error, vs. George Crane, Admr. &c.

669. G. W. Welles, Executor &c., Plff. in Error, vs. George Crane, Admr. &c.

670. E. H. Litchfield, Executor &c. Plff. in Error, vs. George Crane, Admr. &c.

671. E. H. Litchfield, Admr. &c., Plff. in Error, vs. George Crane, Admr. &c.

These cases were argued by Mr. C. H. Gatch, of counsel for the plaintiffs in error, and Mr. George Crane, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 2d 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. C. Tremain it is ordered that Alexander P. Ketchum, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it

is ordered that Irwine Dungan, Esquire, of Jackson, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Harrison it is ordered that Horace Speed, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. McDonald it is ordered that Ferdinand Winter, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Frank D. Wright, Esquire, of Auburn, State of New York, be admitted to practice as an attorney and counsellor of

Ex parte: In the matter of August Spies, Michael Schwab, Oscar Neebe, Samuel Fielden, Albert R. Parsons, George Engel, Adolph Fischer and Louis Lingg, Petitioners.

On consideration of the petition for a writ of error and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

46. The Colorado Coal & Iron Company et al., vs. The United States. Appellants

This cause was argued by Mr. Benjamin N. Bristow, of counsel for the appellants, and Mr. Solicitor General Jenks, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 3d, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

	The Kansas Pacific Railway Company,	Appeal from the Circuit Court of
14.	vs. Appellant	the United States
	Benjamin U. Lewis, Junior.	for the District of Kansas.

This cause being called to the attention of the Court by Mr. Samuel Shellabarger, of counsel for the appellant, and he having filed

a motion to set aside the submission of this cause and to dismiss the appeal. It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that the submission of this cause be, and the same is hereby, set aside, and this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

47. Emil Delberman et al., vs. Pltffs. in Error, E. A. Merritt, Collector &c. The argument of this cause was commenced by Mr. Eugene H. Lewis, of counsel for the plaintiffs in error, continued by Mr. Solicitor General Jenks, of counsel for the defendant in error, and concluded by Mr. D. H. Chamberlain, of counsel for the plaintiffs in error.

1002. Thomas J. Muslin & Co., vs. Pltffs. in Error, John Cadwalader, Collector &c. This cause was submitted to the consideration of the Court on the record and

printed arguments by Mr. N. C. Tremain, Mr. A. W. Tyler, Mr. F. P. Prichard and Mr. A. P. Ketchum, of counsel for the plaintiffs in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

118. Pliny Jewell et al., Appellants vs. John Knight et al.

The argument of this cause was commenced by Mr. Horace Speed, of counsel for the appellants, and continued by Mr. Ferdinand Winter and Mr. Joseph E. McDonald, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday. November 4. 1887.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that Albert H. Veeder, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1147. John C. Kidd, vs. Pltf. in Error, J. C. Pearson et al. — Mr. B. H. Brewster, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

148. Pliny Jewell et al., vs. Appellants, John Knight et al. — The argument of this cause was concluded by Mr. Benjamin Harrison, of counsel for the appellants.

49. William Smith et al., vs. Appellants, William A. Craft et al. — The argument of this cause was commenced by Mr. Horace Speed, of counsel for the appellants, continued by Mr. J. E. McDonald, of counsel for the appellees, and concluded by Mr. Benjamin Harrison, of counsel for the appellants.

	Susan C. Knight (formerly Susan C. Marshall),	This cause was submitted to the consideration
30.	vs. Appellant	of the Court on
	James W. Paxton.	the record with

leave to counsel for the respective parties to file printed arguments within the time prescribed by section 1 of the 20th rule.

	Joseph Teal et al.,	The argument
31.	vs. Plffs. in Error,	of these cases
	John S. Bilby	was commenced
	and	by Mr. A. H.
	Joseph Teal et al.,	Garland, of
32.	vs. Plffs. in Error,	counsel for the
	John S. Bilby.	plaintiffs in
		error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 7th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that William A. Strong, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States, Appeal from the
1042. vs. Appellant, Court of Claims.
Dennis W. Mullan.

This cause came on to be heard on the Transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

The United States, In Error to the
30. vs. Plff. in Error, Circuit Court of
The Philadelphia & the United States
Reading Railroad for the Eastern Dis-
Company. trict of Pennsylvania

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed.

per Mr. Justice Gray.

The United States, Appeal from the
1083. vs. Appellant, Court of Claims.
Robert W. Allen.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to enter judgment in favor of the claimant only for the sum of $1.112.75.

per Mr. Justice Harlan.

Samuel Floyd Hoard
and Pitt Hoard, sole heirs
at law and devisees of
Charles B. Hoard, deceased,
and Samuel Floyd Hoard,
Executor of Charles B.
Hoard, deceased,
vs. Appellants
The Chesapeake & Ohio
Railway Company.

Appeal from the
District Court
of the United
States for the
District of
West Virginia.

17.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

95.	Morris Richter vs. Appellant, George Jerome, Survivor of George Jerome & Fernando C. Beaman, Assignees in Bankruptcy of The Lake Superior Ship Canal, Railroad & Iron Company, et al.	Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

752.	David Richmond, vs. Plff. in Error. Marshall B. Blake, Collector &c.	On consideration of the motion to advance this cause, It is ordered by the Court that

said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	William H. Tompkins	On considera-
70.	vs. Appellant,	tion of the mo-
	The Little Rock & Fort Smith	tion to post-
	Railroad Company et al.	pone these
	and	cases for ar-
	William S. Williams	gument be-
71.	vs. Appellant	fore a full
	The Little Rock, Mississippi	bench, It is
	River & Texas Railway et al.	ordered by
		the Court that

said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	The United States ex rel:	On consideration of the
	James K. McLean,	motion to advance this
1041.	vs. Plff. in Error,	cause, It is ordered by
	William F. Vilas, Post-	the Court that said motion
	master General.	be, and the same is hereby
		granted & the cause as-

signed for argument at the head of the call on Monday, No-

The Attorney General addressed the Court as follows:

May it please the Court,

I have been requested by the bar and officers of this Court to present resolutions recently adopted by them, expressive of their estimate of the life, character and services of the late Mr. Justice Woods and their sorrow at his death, for such action as the Court may see fit to take us to them.

In performing this duty I wish to add a few words — and they need be but few, for the resolutions themselves speak so distinctly, and in terms so strong of the true character of our departed friend, there is little room for anything more to be said.

I knew Judge Woods well and somewhat intimately, from the time he came upon this bench, fresh and vigorous from a field of vast labor and responsibility, second only to the one he entered upon here. His work on the circuit had been onerous and exacting, indeed often perplexing and harassing,

for during much of that time "even peace was full of horrors." He came here from that labor well prepared and ready for that great task that lay before him. Manfully and conscientiously did he address himself to it; and I now say what I have often said before of him, — never did I see one grow and develop in the reports of this Court more rapidly and more decidedly than he; — and his portion of the work, from the time he took his seat, January, 1881, was a full share with the other members of the Court. Coming to the Court at an age young enough to add to his already extensive knowledge he did not fail to do so, with all the aid that energy, industry and painstaking research could bring him.

He wrote and delivered for the time he was here — a period of not quite five years and a half — 163 opinions. Mr. Justice Curtis — and the country knows well his wonderful ability as a lawyer — for about the same length of time, wrote and delivered 91 opinions. The reference is

not made for comparison or contrast of the merits of the two judges, but to show that as great and demanding as the work here has grown since the time of Mr. Justice Curtis, Mr. Justice Woods was equal to the calls upon him.

I wish to speak of another characteristic of Mr. Justice Woods as a judge. He was one of the best listeners I ever saw in any court;- he seemed never to tire or grow weary in the progress of a case, and appeared to hear every word uttered, and to observe everything done. He illustrated very fully what Pliny speaking of himself in his letter to Arrianus said - "For my own part whenever I have to hear a case I give the greatest amount of time which any counsel asks. x x x The very first duty which a judge owes to his position is to have that patience which constitutes an important part of justice. Even superfluous matter had better be brought forward than any really necessary point be omitted." That patience here referred to marked the bearing of Judge Woods upon the bench

to the fullest extent, and it was manifest to all.

In his other relations of life, all bear testimony that he was kind, upright, affable and generous, yet firm and true to purpose, and that he adjusted his accounts with society as fully as he paid his debt to the high profession of which he was so honorable a member.

With a kind and sincere regard for the memory of one of your number now no more, I ask that the resolutions be spread upon the records of the Court as a truthful testimonial to his worth.

Resolutions.

Resolved: I. That the bar of the Supreme Court of the United States and officers of the Court are profoundly sensible of the loss that has been sustained in the death of William Burnham Woods, who has illustrated his country as patriot, citizen, soldier and jurist.

2. That we tender the family of the deceased the assurances of our sincere

3. That the Chairman be, and he is hereby requested to transmit a copy of these proceedings to the Attorney General of the United States with the request to present the same to the Supreme Court of the United States for such action thereon as is usual and proper according to the course of the Court.

4. That the Chairman be, and he is hereby, requested to transmit an engrossed copy of these proceedings to the family of the deceased.

After the reading of the resolutions the Chief Justice said:

We are grateful to the Bar for this tribute to the memory of our late associate. What has been said is no more than is just, and it meets our hearty approval.

Mr. Justice Woods was taken from us in the midst of his usefulness, but the record of his judicial life as Chancellor for the Middle division of Alabama, as Circuit Judge for the Fifth Judicial Circuit of the United States, and as an

Associate Justice of this Court, extends over a period of nearly twenty years of the most active service. Very soon after he took his seat on the bench of the Circuit Court he was compelled to deal with questions of the highest importance, novel in their character, and applicable to a new order of things among those whose rights were involved. How well he met them, and with what ability he exercised the duties of his office is shown by the reports of his judgments and by the esteem in which he was held by all throughout the entire field of his labors. He brought to this Court a large judicial experience, and from the beginning he was zealous in his work, and faithful to every duty. He was an upright man and a just judge.

The resolutions of the Bar and the remarks of the Attorney General in presenting them will be entered on the records of the Court.

660. The People of the State of California vs. Plffs. in Error,
The Central Pacific R. R. Co.

661. The People of the State of California vs. Plffs. in Error,
The Southern Pacific R. R. Co.

662. The People of the State of California vs. Plffs. in Error,
The Northern Railway Co.

663. The People of the State of California, vs. Plffs. in Error,
The California Pacific R. R. Co.

and

664. The People of the State of California, vs. Plffs. in Error,
The Central Pacific R. R. Co.

Mr. Samuel Shellabarger, of counsel for the plaintiffs in error, submitted to the consideration of the Court motions to advance these cases.

1271. Joseph Talal et al., Plffs. in Error
vs. The State of Louisiana.

1272. Joseph Hug, Plff. in Error, vs.
" The State of Louisiana.

1273. Timothe' Rauchet, Plff. in Error, vs.
" The State of Louisiana.

1274. Joseph Talal, Plff. in Error, vs.
" The State of Louisiana.

Mr. J. Hale Sypher, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion for a rule on J. V. Guillotte, Mayor of the City of New Orleans, and Henry Larquier, lessee and representative of said city, requiring them to show cause why they should not be punished for contempt.

John W. Hanner Jr., et al. vs. Lewan E. Moulton, C. R. Johns et al. — 1155. Appellants

Mr. Calderon Carlisle, in behalf of counsel for the appellants, suggested the death of C. R. Johns, one of the appellees in this cause, after final

decree herein in the Circuit Court of the United States for the Northern District of Texas and before the appeal herein was allowed, and moved the Court for an order pursuant to section 3 of the 15th rule of this Court that Amanda F. Johns, widow and executrix of said C.R. Johns, deceased, make herself a party to this cause.

Whereupon, It is now here ordered by the Court that unless the said Amanda F. Johns, widow and executrix of C.R. Johns, deceased, shall make herself a party to this cause within the first ten days of the ensuing term of this Court the appellants shall be entitled to open the record, and, on hearing, have the decree reversed, if it be erroneous: Provided, however, that a proper citation reciting the substance of this order shall be served upon the said Amanda F. Johns, either personally, or by being left at her residence, at least sixty days before the beginning of the term of this Court next ensuing.

51. Joseph Teal et als., vs. Plffs. in Error, John S. Bilby. and 52. Joseph Teal et al., vs. Plffs. in Error, John S. Bilby.

The argument of these cases was continued by Mr. James Hagerman of counsel for the defendant in error, and concluded by Mr. A. H. Garland, of counsel for the plaintiffs in error.

53. Le Sassier & Binder vs. Plffs. in Error, Samuel H. Kennedy.

This cause was argued by Mr. Enoch Totten, of counsel for the plaintiffs in error, and Mr. W. Hallett Phillips, of counsel for the defendant in error.

54. A. H. Hefner et al., vs. Plffs. in Error, The Northwestern Mutual Life Insurance Company.

The argument of this cause was commenced by Mr. C. H. Galich, of counsel for the plaintiffs in error, and continued by Mr. B. F. Kauffman, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 8th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford
John J. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. K. Mendenhall it is ordered that R. J. Wells, Esquire, of Sioux Falls, Territory of Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Union Pacific Railway Company,	In Error to the Supreme Court of the
59.	vs. Plf. in Error;	State of Kansas.
	C. M. Dyche.	

This cause being called to the attention of the Court by Mr. J. M. Wilson, in behalf of counsel, and a stipulation to reverse the judgment of the Court below in this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court, that the judgment of the Supreme Court of the State of Kansas, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the judgment of the District Court of Riley County, Kansas.

Per Mr. Chief Justice Waite.

Thursday, November 8th 1888, continued.

136 of O.T. 1886. The Sun Mutual Insurance Company of New Orleans et al., vs. The County Line et al. Appellants

On motion of Mr. J. A. Campbell, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

928. Robert J. Hubbard, vs. George Crane, Adm'r. etc. Appellant,

And

930. Emily E. Wolcott, vs. George Crane, Adm'r. etc. Appellant,

On motion of Mr. C. H. Galeh, of counsel for the appellants, leave is hereby granted him to withdraw the original transcripts and agreed records filed in these cases on leaving with the Clerk a receipt therefor.

54. A. M. Heiner et al. vs. The Northwestern Mutual Life Insurance Company. Plffs. in Error,

The argument of this cause was continued by Mr. B. F. Kauffman, of counsel for the defendant in error, and concluded by Mr. C. H. Galeh, of counsel for the plaintiffs in

55. Louis Benitez, vs. Plff. in Error, Benjamin Hampton. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. D. Hoge, of counsel for the plaintiff in error, and Mr. Samuel Shellabarger and Mr. J. H. Wilson, of counsel for the defendant in error.

56. The Liverpool & Great Western Steam Company, Limited, vs. Appellant, The Phoenix Insurance Co.

and

57. The Liverpool & Great Western Steam Company, Limited. vs. Appellant, The Insurance Company of North America. The argument of these cases was commenced by Mr. Franklin A. Wilcox, of counsel for the appellant, and continued by Mr. William Allen Butler of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 9th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

56. The Liverpool & Great Western Steam Company, Limited, Appellant vs. The Phoenix Insurance Company.

57. The Liverpool & Great Western Steam Company, Limited, and The Insurance Company of North America, Appellant, vs.

The argument of these cases was continued by Mr. William Allen Butler, of counsel for the appellees, and

concluded by Mr. E. P. Nash, of counsel for the appellant.

60. Chauncey Dewey et al., vs. Appellants, The West Fairmont Gas Coal Company et al.
and
The West Fairmont Gas Coal Company, vs. Appellant, Chauncey Dewey et al.
179.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Daniel Lamb, of counsel for Chauncey Dewey et al., and Mr. William P. Hubbard and Mr. James Morrow Jr., of counsel for the West Fairmont Gas Coal Company.

61. Catherine Shields et al., vs. Plffs. in Error, Arthur Shiff.

This cause was argued by Mr. G. A. Breaux, of counsel for the plaintiffs in error, and Mr. John A. Campbell, of counsel for the defendant in error.

	The Western Union Telegraph Co.,	Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per
62.	vs. Appellant	
	The Baltimore & Ohio R.R. Co.	

Stipulation of counsel.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday. November 10th 188[illegible].

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford
John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Ingersoll it is ordered that Edward E. Meyer, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Hoffman it is

62. The Western Union Telegraph Co., ... vs. ... Appellant
The Baltimore & Ohio R.R. Co.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 10th 188[illegible].

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Ingersoll it is ordered that Edward S. Keyes, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Hoffman it is

ordered that William Ritchie, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of William Henry, Petitioner

8. Original. —

The motion for a rule to show cause in this case was submitted to the consideration of the Court on a printed argument by Mr. Isaac M. Bryan, in support of the same.

Henry Callender vs. Clark E. Bates.

Pff. in Error

In Error to the Supreme Court of the Territory of Dakota.

63.

This cause being called for hearing in its regular order and it appearing to the Court that the transcript of the record fails to show any proof of service of the citation in this cause, It is, thereupon, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Henry Callender
63. vs. Plff. in Error,
Clark E. Bates.

Ordered by the Court that the plaintiff in error be, and he is hereby granted leave to move within sixty days from this date for the restoration of this cause to the docket.

The Union Trust Company of New York et al.,
64. vs. Appellants
William R. Morrison.

This cause was argued by Mr. William Wilson, of counsel for the appellants, and submitted on printed arguments by Mr. C. W. Thomas and Mr. Gustav Koerner, of counsel for the appellees.

The Schooner "Maggie J. Smith", Robert G. Dun et al., Claimants,
65. vs. Appellants
Samuel N. Walker et al.
and
Samuel N. Walker et al.,
188. vs. Appellants
Robert G. Dun et al.

The argument of these cases was commenced by Mr. Robert H. Smith, of counsel for Dun et al.,

and continued by Mr. Sebastian Brown and Mr. John Lathrop, of counsel for Walker et al., and Mr. John K. Thomas, of counsel for Dun et al.

Samuel H. Walker, Enoch Robinson et al. vs. Volant G. Dun, Theodore J. Anderson et al. — Appellants

188 — Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on motion of Mr. Sebastian Brown, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs so far as it relates to the following named appellants, viz: H. Crawford Black, John Sheridan and John Wilson Jr., trading as Black, Sheridan & Wilson; M. J. Blake, Edward H. Lee, Melvin C.

Gould, John W. Crowell, Thomas Martin, John Hurley, Nicholas Sandberg and Charles Welin.

per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 11th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that C. B. Vance, Esquire, of Evansville, State of Indiana, and James C. Hutchins, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Sweat it is ordered that W. H. Francis, Esquire, of Bismarck, Territory of Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Schooner "Maggie G. Smith," Robert G. Dun et al., Claimants, Appellants
65. vs.
Samuel N. Walker et al.
and
Samuel N. Walker et al., Appellants
188. vs.
Robert G. Dun et al.

The argument of these cases was concluded by Mr. John H. Thomas, of counsel for Dun et al.

The New York, Lake Erie & Western Railroad Co., Plff. in Error,
66. vs.
George R. Madison.

This cause was argued by Mr. J. G. Ingersoll, of counsel for the plaintiff in error, and Mr. Edward S. Meyer, of counsel for the defendant in error.

Pilar Garcia de Sabariego
& Manuel Sabariego, her
husband,

67. vs. Plffs. in Error,

Mary A. Maverick et al.

The argument of this cause was commenced by Mr. W. Hallett Phillips, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 14th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Roscoe Conkling it is ordered that F. H. McGuire, Esquire, of Richmond, and Henry St. George Tucker, Esquire, of Staunton, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Randolph Tucker it is ordered that W. P. McKenney and Alexander Hamilton, Esquires, of Petersburg, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Hiram J. Gilbert, Esquire, of Ottawa, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William D. Andrews,
George N. Andrews,
Nelson W. Green and
Noah J. Parsons,
vs. Appellants
No. George Novey.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Iowa, and was argued by counsels. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

No. 27. William B. Andrews et al., vs. George Savage. Appellants. Mr. Justice Blatchford announced that the motion of the appellee for a judgment against the appellants for the sum of $300 for the expenses of the counsels for the appellee in attending at this Court for the argument of the case at October Term 1886, was denied.

No. 28. Jane C. Fitz, vs. John Story Jenks, William Henry Jenks & Evan Randolph, Executors of William P. Jenks, deceased. Appellant. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

468. Jane Ko. Hitz, Appellant, vs. John Story Jenks, William Henry Jenks & Evan Randolph, Executors of William P. Jenks, deceased. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

29. The Smith & Griggs Manufacturing Company vs. Appellant
Delia Sprague, Admx. of Leonard A. Sprague, deceased.

Appeal from the Circuit Court of the United States for the District of Connecticut

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take further proceedings therein in conformity with the opinion of this Court.

Per Mr. Justice Matthews

Monday, November 14th 1884, continued.

The Guarantee Insurance, Trust and Safe Deposit Company, Administrator cum testamento annexo of Charles William Siemens deceased, and Frederick Siemens, vs. Appellants William Sellers, Edward W. Clark, John Sellers Junior, Joseph F. Tobias and James A. Wright.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

Louis Daniels,
vs. Plff. in Error,
The Manistee River
Improvement Company.

In Error to the
Supreme Court
of the State of
Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Field.

41. Charles F. Ruggles,
vs. Plff. in Error,
The Manistee River Im-
provement Company.

In Error to the
Supreme Court
of the State of
Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel. On consideration

whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

The County of Dakota and W. Wilkinson, Treasurer,		In Error to the Circuit Court of the United States for the District of Nebraska.
1082	vs. Plff. in Error	
The State of Nebraska upon the relation of The Society for Savings of the City of Cleveland.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on a motion to dismiss or affirm the judgment, which was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

	The City of Shreveport. Louisiana,	In Error to the Circuit Court of
21.	vs. Plff. in Error	the United States
	John R. Holmes.	for the Western Dis-
		trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana

	The City of Shreveport, Louisiana,	In Error to the Cir-
22.	vs. Plff. in Error,	cuit Court of the
	John B. Crooks.	United States for
		the Western District
		of Louisiana.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

The City of Shreveport, Louisiana,
vs. Pltf. in Error,
C. K. Carter.

In Error to the Circuit Court of the United States for the Western District of Louisiana.

123

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof,

The Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

The People of the State of California, Pltffs. in Error,
60. vs.
The Central Pacific Railroad Co.

The People of the State of California, Pltffs. in Error,
61. vs.
The Southern Pacific Railroad Co.

The People of the State of California, Pltffs. in Error,
62. vs.
The Northern Railway Co.

The People of the State of California, Pltffs. in Error,
63. vs.
The California Pacific R.R. Co.

And

The People of the State of California, Pltffs. in Error
64. vs.
The Central Pacific Railroad Co.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument,

no one case, at the foot of the call for Monday, January 9th, 1888.

Per Mr. Chief Justice Waite.

1271. Joseph Natal et al., Plffs. in Error, vs.
The State of Louisiana.

1272. Joseph Rua, Plff. in Error, vs.
The State of Louisiana.

1273. Timothé Rauché, Plff. in Error, vs.
The State of Louisiana.

1274. Joseph Natal, Plff. in Error, vs.
The State of Louisiana.

Ordered by the Court that leave be, and the same is hereby, granted the plaintiffs in error in these cases to amend their petition for a rule to show cause filed herein, and to file a printed brief in support thereof.

Per Mr. Chief Justice Waite.

1237. The Gate City Refrigerating Co., Appellant, vs. George N. Hammond & Co. Mr. Attorney General Garland submitted to the consideration of the Court a motion to advance this cause.

The Memphis & Little Rock
Railroad Company, vs.
vs. Appellant,
Robert K. Dowstall, Trustee.
No. 25.

Robert K. Dowstall, Trustee.
vs. Appellants
The Memphis & Little Rock
R.R. Co., vs.
No. 26.

Mr. A. H. Garland, on behalf of counsel, suggested a diminution of the record in these cases and moved the Court to award a writ of certiorari. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, as prayed.

Russell Sage
vs. Appellant,
The Memphis & Little Rock
Railroad Co. vs.
No. 27.

The Memphis & Little Rock
Railroad Co. vs.
vs. Appellant,
Russell Sage.

Mr. A. H. Garland, on behalf of counsel, suggested a diminution of the record in these cases and moved the Court to award a writ of

certiorari. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, as prayed.

1054. The United States vs. Appellant, James M. C. Gleeson. Mr. Robert C. Schenck, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

1055. D. H. Williams, vs. Plff. in Error, Edward D. Conger et al. On motion of Mr. H. O. Claughton, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be passed if reached in the regular call of the docket before December 15th, subject to provisions of section 9 of the 26th rule.

1058. The United States, Apts. vs. The State of Alabama.

1059. The United States, Apts. vs. The State of Mississippi.

Monday, November 16th 1891, continued.

On motion of Mr. Daniel H. Manning, of counsel for the appellees, leave is hereby grant. ed the Clerk to issue the mandates in these cases.

The United States,
160. vs. Appellant
Charles W. Doebe et als.

The motion to dismiss in this cause and submitted to the consideration of the Court on the record and printed arguments by Mr. U. M. Rose and Mr. S. W. Williams, in support of the same and Mr. N. M. Bater, in opposition thereto.

The Union Mutual Life
Insurance Company,
1250. vs. Appellant,
P. C. Hanford et als.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. H. McGowan, in support of the same, and Mr. Leonard Swett and Mr. P. S. Grosscup, in opposition thereto.

Pilar Garcia de Sabariego and Manuel Sabariego, her husband, Plffs. in Error, vs. Mary A. Maverick et al. The argument of this cause was concluded by Mr. W. Hallett Phillips, of counsel for the plaintiffs in error, and the cause was submitted on a printed argument by Mr. John Ireland, of counsel for the defendants in error.

4. Orig. Ex parte: In the matter of Rufus A. Ayers, Petitioner.

5. Orig. Ex parte: In the matter of John Scott, Petitioner.

6. Orig. Ex parte: In the matter of G. B. McCabe, Petitioner.

The argument of these cases was commenced by Mr. Roscoe Conkling, of counsel for the petitioners, and continued by Mr. W. L. Royall and Mr. D. H. Chamberlain, of counsel for the respondent, and Mr. J. Randolph Tucker, of counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 15th, 1887.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley · Associate
John M. Harlan Justices.
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Pilar Garcia de Sabariego 2nd Manuel Sabariego, her husband, vs. Plffs. in Error, Mary A. Maverick et al. — On motion of Mr. W. Hallett Phillips, of counsel for the plaintiffs in error, leave is hereby granted counsel for the defendants in error to file a printed brief in this cause and counsel for the plaintiffs in error granted two weeks in which to file a re-

Tuesday, November 15th, 1887, continued.

	Max Mack and Alexander Guiteman	In Error to the Circuit Court
114.	vs. Plffs. in Error,	of the United
	Otto F. Gloeman and	States for the
	Charles B. Kruse.	Eastern District
		of Wisconsin.

This cause being called to the attention of the Court by Mr. Eppa Hunton, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

	Frederick B. Baird and	Mr. Eppa Hun-
	Frank Dillon,	ton, in behalf of
300.	vs. Appellants,	counsel for the
	Frank N. Baldwin,	appellees, having
	Nathan F. Baker, Mary	filed in open
	S. Baker, Phoebe S.	Court certified
	Baker & Julia B. Keys.	copies of the
		final decree,

order allowing an appeal and appeal bond in this cause, moved the Court to docket and dismiss this cause pursuant to the 6th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

No. 24. Ex parte: In the matter of Rufus A. Ayers, Petitioner.

No. 25. Ex parte: In the matter of John Scott, Petitioners.

No. 26. Ex parte: In the matter of J. B. M'Cabe, Petitioners.

Tuesday, November 15th, 1887, continued.

The argument of these cases was concluded by Mr. J. Randolph Tucker, of counsel for the petitioners.

No. 68. The Union Railroad Company of Baltimore vs. James J. Dill et al. Appellant,

The argument of this cause was commenced by Mr. William A. Fisher, of counsel for the appellant, and continued by Mr. A. W. Machen and Mr. S. Stevett Steele, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 16th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices.

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 114. P. O. Coy. vs. Plff. in Error. The Western Land & Cattle Company, Limited.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Alexander McCoy, in support of the same, and Mr. R. A. Childs, in opposition thereto.

The Union Railroad Company of Baltimore, vs. James G. Dull et al. — The argument of this cause was continued by Mr. F. Nevett Steele, of counsel for the appellees, and concluded by Mr. Charles Marshall, of counsel for the appellant.

68. Appellants,

Reobold Lacombe et al., Commissioners &c., vs. Edmond J. Forstall's Sons, Agents &c. — The argument of this cause was commenced by Mr. W. S. Parkerson, of counsel for the appellants, and continued by Mr. Joseph H. Choate, of counsel for the appellees, and Mr. Drummond Kennedy, of counsel for the appellants.

69. Appellants,

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 6th, 1884.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley } Associate
John M. Harlan } Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that George W. Doane, Esquire, of Omaha, State of Nebraska, and Louis J. Haggin, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Leopold Lacombe et al.,
Commissioners &c.,
69. vs. Appellants,
Edmond J. Forstall's Sons,
Agents &c. et al.

The argument of this cause was concluded by Mr Crammond Kennedy, of counsel for the appellants.

William H. Tompkins,
70. vs. Appellant,
The Little Rock & Fort Smith Railroad Company et al.
and
William S. Williams,
71. vs. Appellant,
The Little Rock, Mississippi River and Texas Railway et al.

Ordered by the Court that these cases be, and they are hereby, passed.

James B. White,
72. vs. Plff. in Error,
George M. Barber
and
James B. White,
73. vs. Appellant
George M. Barber.

These cases were argued by Mr. L. M. Hinde, of counsel for the plaintiff in error and appellant, and Mr. Thomas Dent.

of counsel for the defendant in error & appellee.

74. G. W. Cunningham, Assignee &c., vs. A. B. Norton et al. Pltff. in Error, This cause was argued by Mr. H. Hallett Phillips, of counsel for the plaintiff in error, and Mr. D. A. McKnight, of counsel for the defendants in error.

75. The Simmons Hardware Company vs. The National Pump Cylinder Company. Appellant Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause being called for hearing in its regular order and a stipulation to dismiss this cause having been filed, It is thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned

Friday, November 18th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray and
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that William Rotch Wister, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. John F. Dillon it is ordered that John L. Webster, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne MacVeagh it is ordered that James M. Gable, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn according ly.

1237. The Gale Refrigerating Co., Appellant, vs. George N. Hammond & Co. Mr. L. F. Phillips, of counsel for the United States Electric Lighting Company and the Consolidated Electric Light Company, submitted to the consideration of the Court petitions for leave to be heard in opposition to the motion to advance in this cause, and further that, in case the Court shall deem it proper to advance said cause, the said petitioners may be heard on

Benjamin J. Wilson
vs. Appellant,
William C. Riddle, Trustee, etal.

On motion of Mr. W. A. McKenney, in behalf of counsel for the appellant, leave is hereby granted to withdraw the original transcript of the record in this cause for authentication.

Milton F. Lamaster
vs. Plff. in Error,
John W. Keeler.

The argument of this cause was commenced by Mr. John F. Dillon, of counsel for the plaintiff in error, continued by Mr. J. H. Woolworth, of counsel for the defendant in error, and concluded by Mr. George W. Doane, of counsel for the plaintiff in error.

Charles S. Hinchman,
vs. Plff. in Error,
Rufus P. Lincoln.

The argument of this cause was commenced by Mr. Wayne MacVeagh, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. November 21st, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that Ebenezer J. Ormsbee, Esquire, of Brandon, and Wheelock J. Veazy Esquire of Rutland, State of Vermont, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Edwin C. Bryant, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. Redington it is ordered that J. L. Chadbourne, Esquire, of Houghton, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Schenck it is ordered that William Small, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Paul Jones it is ordered that C. C. Cochrees, Esquire, of

Colfax, Territory of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

47. Emil Oelbermann, Louis F. Dommerich & Hugo Keepers, Plffs. in Error, vs. Edwin A. Merritt, late Collector of the Port of New York.

On Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

Per Mr. Justice Blatchford.

Thomas J. Mustin, John D. Ford, William W. Foulkrod and William Sydebotham, Junior, trading as Thomas J. Mustin & Company,

1002. vs. Plffs. in Error,

John Cadwalader, Collector of Customs for the District of Philadelphia.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Justice Blatchford.

The Colorado Coal & Iron Company, The Southern Colorado Coal & Town Company and Louis H. Meyer, Trustee, vs. The United States.

Appeal from the Circuit Court of the United States for the District of Colorado.

46.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill.

Mr. Justice Gray delivered the opinion of the Court.

Chauncey Dewey, Charles P. Dewey, Albert Dewey, Orville G. Dewey, David M Thornbury et al. surviving partners of the firm of Dewey, Vance & Company.

vs. Appellants

The West Fairmont Gas Coal Company et al.

and

The West Fairmont Gas Coal Company

vs. Appellant,

Chauncey Dewey, Charles P. Dewey, Albert Dewey, Orville G. Dewey, David M. Thornbury et al. surviving partners of the firm of Dewey, Vance & Company.

Appeals from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now

were ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed, each party paying the costs on their respective appeals in this Court.

per Mr. Justice Matthews.

The United States, Appellant,
vs.
Nathalie de Morant et al., heirs of Louis De Morant;
M. Clement Rivandon et al.

Appeal from the District Court of the United States for the Northern District of Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Bradley.

The Schooner "Maggie J. Smith," Robert G. Dun, Theodore C. Anderson et al., Claimants, Appellants, vs. Samuel H. Walker, Enoch Robinson, William O. Snow et al.

Appeals from the Circuit Court of the United States for the District of Maryland.

No. 64.

Samuel H. Walker, Enoch Robinson et al., Appellants, vs. Robert G. Dun, Theodore J. Anderson et al.

No. 65.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, each party paying the costs on their respective appeals in this Court.

Per Mr. Justice Field.

James Doolan and James McCue vs. William B. Carr.	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to award a new trial.

Per Mr. Justice Miller.

Dissenting:
Mr. Chief Justice Waite.

Ex parte: In the matter of William Henry, 8. Original- Petitioner.

On consideration of the motion filed herein for a rule to show cause and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied; and that the petition for a writ of habeas corpus filed herein be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

The Union Mutual Life Insurance Company, Appellant, vs. 1250. C. C. Hanford et al.

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

714. J. D. Cox, vs. Plff. in Error, The Western Land and Cattle Company, (Limited). In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on a motion to dismiss which was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

237. The Bate Refrigerating Company vs. Appellant, George H. Hammond & Company. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

1044. The United States, vs. Appellant, James M. T. Gleason. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

185. Thomas H. Allen et al., vs. Appellants, Benjamin H. Smith et al. Mr. A. H. Garland, of counsel for the Appellants, presented and filed in open Court a stipulation of counsel amending the record in this cause.

929. Francois Henry Lumel et al., vs. Appellants, Stephen M. Chester. On motion of Mr. E. W. Paige, Ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 32d Rule.

1025. The United States, vs. Appellant, The State of Louisiana. On motion of Mr. W. E. Earle, of counsel for the Appellee,

cause is hereby granted the Clerk to issue the mandate in this cause.

The United States ex rel. Luzarda Angarica de la Rua, Executrix &c., vs. Plff. in Error, Thomas F. Bayard, Secretary of State.

241.

Mr. Edmund J. Jones, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Roger M. Sherman vs. Plff. in Error, Irving Grinnell et als., Executors &c.

132.

This cause was submitted to the consideration of the Court, pursuant to the 32nd rule, on the recorid and printed arguments by Mr. Roger M. Sherman, of counsel for the plaintiff in error, and Mr. William M. Evarts, Mr. Joseph H. Choate, Mr. Charles C. Beaman and Mr. Truesdell Cleveland, of counsel for the defendants in error.

	The United States,	The motion to dis-
1050.	vs. Plff. in Error,	miss or affirm in
	Clement Hugh Hill et al.	this cause was sub-
		mitted to the consider-

ation of the Court on the record and printed arguments by Mr. John Lowell, in support of the same, and Mr. Attorney General Garland and Mr. Assistant Attorney General Maury, in opposition thereto.

	W. H. Dow et al.,	This cause was sub-
1001.	vs. Plffs. in Error,	mitted to the consider-
	J. W. Beidelman.	ation of the Court, pur-
		suant to the 20th rule,

on the record and printed arguments by Mr. T. M. Rose, of counsel for the plaintiffs in error, and Mr. John N. Rogers, of counsel for the defendant in error.

	The Steam Canalboat	The motion to dis-
	"Sydney" &c.,	miss in this cause
213.	vs. Appellant,	was submitted
	The Providence Wash-	to the considera-
	ington Insurance	tion of the Court
	Company et al.	on printed argu-

ments by Mr. E. D. McCarthy, in support of the same, and Mr. J. A. Hyland, in opposition thereto.

L. Zeckendorf & Company, vs. John S. Johnson. 044. Appellants. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Van H. Manning and Mr. J. C. Edmonds, in support of the same, and Mr. E. M. Marble, in opposition thereto.

Charles L. Hinchman, vs. Rufus P. Lincoln. 77. Plff. in Error. The argument of this cause was continued by Mr Wayne MacVeagh, of counsel for the plaintiff in error, and Mr. C. C. Brown, of counsel for the defendant in error, and concluded by Mr. Wayne MacVeagh, of counsel for the plaintiff in error.

The United States ex rel.
James K. McLean,
1041. vs. Plff. in Error,
William F. Vilas, Post-
master General.

The argument of
this cause was
commenced by
Mr. E. F. Phillips,
of counsel for the
plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 22nd 1885.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wayne MacVeagh it is ordered that Frank W. Clancy, Esquire, of Santa Fé, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. C. J. Hillyer it is ordered that Jackson H Ralston, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1041. The United States ex rel. James K. McLean, vs. Plff. in Error William F. Vilas, Postmaster General.

The argument of this cause was continued by Mr. S. F. Phillips, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Bryant, of Mr. Assistant Attorney General Howard of counsel for the defendant in error, and concluded by Mr. S. F. Phillips, of counsel for the plaintiff in error.

33. The North Pennsylvania Railroad Company, Plff. in Error, vs. The Commercial National Bank of Chicago.

The argument of this cause was commenced by Mr. Wm Rotch Wister, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 23d, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wayne MacVeagh it is ordered that Samuel C. F. Dodd and Nelson J. Waterbury, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The North Pennsylvania Railroad Company		The argument of this cause was continued by Mr. William Roth Wister, of counsel for
33.	vs. Plff. in Error,	
The Commercial National Bank of Chicago.		

the plaintiff in error, and Mr. Wayne Mac Veagh, of counsel for the defendant in error, and concluded by Mr. George F. Edmunds, of counsel for the plaintiff in error.

The Aetna Life Insurance Company of Hartford, Conn.,		This cause was argued by Mr. Theron G. Strong, of
78.	vs. Plff. in Error,	
Ida Davey.		

counsel for the plaintiff in error, and Mr. John Linn, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 28th 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John E. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that F. C. Southrup, Junior, Esquire, of Trenton, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dolph it is ordered that L. H. Noble, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The St. Paul & Pacific R.R. Co. et al.,		Mr. Walter H. Smith, in behalf of counsel, submitted to the consideration of the Court a
267.	vs. Appellants	
The Northern Pacific R.R. Co.		

motion to advance this cause.

William Hales et al.,		This cause was argued by Mr. C. G. Dodds, of Coun-
79.	vs. Appellants,	
The Albany Stove Co.		

sel for the appellants, and Mr. Eliot Cowen, of counsel for the appellees.

The Willamette Iron Bridge Company
vs. Appellant,
do. Z. F. Kalch & M. O. Townsdale.

The argument of this cause was commenced by Mr. John Mullan, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 24th 1885.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John C. Nicolay, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The State of North Carolina et al.,
vs. Appellants
Alfred M. Templer.

Mr. E. F. Chambers, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

34.

Joseph J. Dale and David Wells, vs. Plffs. in Error, A. Marmelstein. — In Error to the Supreme Court of the State of Georgia.

280.

This cause being called to the attention of the Court by Mr. George A. Mercer, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Joseph J. Dale and David Wells, vs. Plffs. in Error, W. J. Daniels. — In Error to the Supreme Court of the State of Georgia.

281.

This cause being called to the attention of the Court by Mr. George A. Mercer, of counsel for the plaintiffs in error, and he having moved the Court to dismiss

this cause. It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Willamette Iron Bridge Co., Appellant,
80. vs.
J. J. Hatch and M. O. Townsdale.

The argument of this cause was continued by Mr. John Mullan, of counsel for the appellant, and Mr. J. H. Dolph, of counsel for the appellees, and concluded by Mr. John Mullan, of counsel for the appellant.

David R. Gould, Appeal from the
71. vs. Appellant, Circuit Court of
William H. Spicer, the United States
Henry R. Spicer and for the District of
Charles H. Peckham. Rhode Island.

This cause being called for hearing in its regular order, and it appearing to

the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

82. James P. Crawford, Appellant, vs. Shaw W. Heysinger et al. This cause was argued by Mr. Hector T. Fenton, of counsel for the appellant, and Mr. Joshua Pusey, of counsel for the appellees.

83. Ransom F. Humiston to use of William P. Horton, Plff. in Error, vs. James P. Wood & Co. The argument of this cause was commenced by Mr. Francis E. Brewster, of counsel for the plaintiff in error, continued by Mr. Wayne MacVeagh, of counsel for the defendants in error, and concluded by Mr. F. Carroll Brewster, of

Counsel for the plaintiff in error.

84 Edward Kane,
vs. Plff. in Error,
The Northern Central
Railway Company.

Ordered by the
Court that this
cause be, and the
same is hereby,
passed.

Proclamation being made the Court
is adjourned until tomorrow at
twelve o'clock.

Wednesday, November 20th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Mercer it is ordered that George Thomas Mercer, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Hugh McGraw Brooks vs.
30. vs. Plff. in Error,
The State of Missouri.

On motion of Mr. W. H. Maury, in behalf of counsel for the plaintiff in error, It is ordered by the Court that the transcript of the record in this cause be printed at the public expense.

The Western Union Telegraph Co.,
38 vs. Plff. in Error,
George F. Hall.

This cause was argued by Mr. Wager Swayne, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Charles A. Clark, of counsel for the defendant in error.

Benjamin J. Wilson,
Etc. vs. Appellant
Wm C. Riddle, Trustee, etals.

The argument of this cause was commenced by Mr. Clifford Anderson, of counsel for the appellant, & continued by Mr. George A. Mercer, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 1st, 1884.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John C. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of Andrew J. Sawyer et al., Petitioners.

Mr. S. M. Lamberton, of counsel for the petitioners, filed and submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

Thursday, December 1st, 1887, continued.

Benjamin J. Wilson. The argument of
vs. Appellant this cause was
William C. Riddle, continued by Mr.
Trustee, et al. George A. Mercer,
of counsel for the
appellees, and concluded by Mr. Clifford
Anderson, of counsel for the appellant.

The Grand Rapids and In Error to the
Indiana Railroad Company, Circuit Court
vs. Plff. in Error, of the United
Osmun Giles. States for the
District of
Indiana.

This cause being called for hearing in its regular order, and the authority of the plaintiff in error to dismiss this cause having been filed, it is, thereupon, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

No. 89. Albert G. Widdicombe, Plff. in Error, vs. Oliver P. Childers et al.

This cause was argued by Mr. S. S. Burdett, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. James Hagerman, of counsel for the defendants in error.

No. 90. Spencer Trask, Appellant, vs. The Jacksonville, Pensacola & Mobile R.R. Co., et al.

Ordered by the Court that this cause be, and the same is hereby, passed.

No. 92. The Florence Mining Co., Appellant, vs. Fayette Brown, Receiver &c.

The argument of this cause was commenced by Mr. Harvey D. Goulder, of counsel for the appellant, and concluded by Mr. Frances J. Wing, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 2d, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John E. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of Andrew J. Sawyer et al., Petitioners. On consideration of the motion for leave to file a petition for a writ of habeas corpus. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Ex parte: In the matter of Andrew J. Saumer, Lorenzo W. Billingsley, John Fraas, Joseph Z. Briscoe, Fred. J. Hoxey, William J. Coster, Robert B. Graham, John M. Burks, James Dailey, Henry H. Dean, Fran Ensign and Lewis C. Pace, 10, Original. Petitioner.

On consideration of the petition for a writ of habeas corpus herein and on motion of Mr. G. M. Lambertson, of counsel for the petitioners, It is now here ordered by this Court that cause be shown by Ellis L. Bierbower, Marshal of the United States for the District of Nebraska, before this Court, at the Capitol, in the City of Washington, on Monday, December 12th instant, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not issue herein to the end that the petitioners may be discharged from custody.

Per Mr. Chief Justice Waite.

	The People of the State of California	Mr. George F. Edmunds, of counsel
1157.	vs. Plffs. in Error,	for the defendant
	The Central Pacific R.R. Co.	in error, submitted to the consideration

a motion to advance this cause.

	Joseph Natal et al.,	The amended petition for a rule to
271.	vs. Plffs. in Error,	show cause on
	The State of Louisiana.	J. V. Guillotte,

Mayor of the City of New Orleans, and Henry Larquie, Lessee, why they should not be attached for contempt, was submitted to the consideration of the Court on the record and printed argument by Mr. J. Hale Sypher and Mr. West Stevens, in support of the same.

	The Florence Mining Co.,	The argument
92.	vs. Appellant,	of this cause
	Fayette Brown, Receiver.	was continued

by Mr. Francis G. Wing, of counsel for the appellees, and

concluded by Mr. Harvey D. Goulder, of counsel for the appellant.

The Texas & St. Louis Railway Company, in Missouri and Arkansas,	In Error to the Circuit Court of the United States for
93. vs. Plff. in Error,	the Eastern Dis-
The Cleveland Rolling Mill Company.	trict of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th Rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The Dundee Mortgage and Trust Investment Co., Limited,	This cause was argued by Mr.
94. vs. Plff. in Error,	J. De Witt Cuyler,
Ellis & Hughes.	of counsel for the plaintiff in error,

and Mr. J. N. Dolph, of counsel for the defendant in error.

The American Railway Improvement Company,
95. vs. Plff. in Error,
Seymour D. Carpenter et al.

Ordered by the Court that this cause be, and the same is hereby, passed for settlement, per stipulation of counsel.

The Leather Manufacturers' National Bank,
96. vs. Plff. in Error,
The Merchants National Bank.

The argument of this cause was commenced by Mr. John E. Parsons, of counsel for the plaintiff in error, and continued by Mr. John E. Burrill, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 5th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Truman B. Towne, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Assistant Attorney General Maury it is ordered that Charles D. Fowler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Joseph G. Anderson, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Van H. Manning, it is ordered that Phil B. Thompson Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Rhodes it is

ordered that L. W. Elliott, Esquire, of Stockton, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Purdon it is ordered that Henry N. Man, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

James B. White,
vs. In Error to the Circuit Court of the United
U.S. Pltf. in Error,
George H. Barber. States for the Northern
District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same

is hereby affirmed with costs.

Per Mr. Justice Blatchford.

73. Sumner B. White, vs. Appellant George H. Barbers. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause is, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

48. Riley Jewell et als., vs. Appellants, John Knight, Eliza J. Knight, Stoughton A. Fletcher and Francis M. Churchman. Appeal from the Circuit Court of the United States for the District of Indiana.

Monday, December 5th 1887, continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

William Smith et als., Appellants, vs. William M. Craft, Stoughton A. Fletcher & Francis A. Churchman

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

Ex parte: In the matter of Rufus A. Ayers. Original — Petitioner.	On petition for a writ of habeas corpus.

On consideration of the application for the discharge of the petitioner Rufus A. Ayers, the writ of habeas corpus directing the Marshal of the United States for the Eastern District of Virginia to produce the body of the said Rufus A. Ayers before this Court, and to certify the cause of his detention and imprisonment, having been duly issued and served and the said Marshal having produced the body of said Rufus A. Ayers and having certified that said Rufus A. Ayers is detained in his custody under and by virtue of the order of the Circuit Court of the United States for the Eastern District of Virginia, which said order is in the following words, viz:

"In re Rufus A. Ayers

"This matter came on this day to be heard "upon the rule heretofore issued against "Rufus A. Ayers, attorney general of

"the State of Virginia, to show cause
"why he should not be attached for con-
"tempt in disobeying the restraining order
"heretofore granted in the suit of Cooper
"et als. vs. Myers et als on the 6th day
"of June, 1887, and his answer thereto; on
"consideration whereof the Court is of the
"opinion and doth order and adjudge that
"the said Rufus A. Ayers is guilty of con-
"tempt in his disobedience of said order,
"and that he do forthwith dismiss the suit
"of the Commonwealth vs. The Baltimore
"and Ohio Railroad Company instituted
"by him in the Circuit Court of the City of
"Richmond and that for said contempt he
"be fined the sum of $500.00 and stand
"committed in the custody of the Marshal
"of this Court until the same be paid and
"he purge himself of his contempt by dis-
"missing said suit last herein mentioned.

Hugh L. Bond, Circuit Judge."

And the cause of said imprisonment having been duly enquired into by this Court upon the return of said writ of habeas corpus heretofore issued herein and counsel having

been heretofore heard, and due consideration having been had,

It is now here ordered by this Court that the imprisonment of said Rufus A. Ayers, under said order of said Circuit Court of the United States for the Eastern District of Virginia, is without authority of law and that the said Rufus A. Ayers is entitled to have his liberty: Whereupon, It is hereby ordered that the said Rufus A. Ayers be, and he is hereby, discharged from said imprisonment.

Per Mr. Justice Matthews.

Dissenting:
Mr. Justice Harlan.

Ex parte: In the matter of John Scott, Petitioner. — On petition for a writ of habeas corpus.

On consideration of the application for the discharge of the petitioner, John Scott, the writ of habeas corpus directing the Marshal of the United States for the Eastern District of Virginia to produce the body of the

said John Scott before this Court, and to certify the cause of his detention and imprisonment having been duly issued and served, and the said Marshal having produced the body of said John Scott, and having certified that said John Scott is detained in his custody under and by virtue of the order of the Circuit Court of the United States for the Eastern District of Virginia, which said order is in the following words, viz:

In re John Scott.

"The respondent in this case seems to the
" Court, from his answer to the rule, to be
" so hopelessly blinded by the ancient doctrine
" of State sovereignty that he does not seem
" to know that on an illustrious day in her
" history Virginia gave her adhesion to the
" Constitution of the United States. To punish
" a man under these circumstances as the
" Court ought to punish a man of the ideas
" prevalent since the adoption of the Constitu-
" tion would be manifestly unjust, and
" would be as unjust as it would be to
" punish a blind man equally with one

" who can see.

" The Court therefore doth adjudge,
" order and decree that for his contempt
" of this Court said John Scott do pay a
" fine of ten dollars and dismiss the cases
" which he has brought in the Circuit Court
" of Fauquier County, Virginia, in viola-
" tion of the restraining order heretofore
" made in the case of Cookson and others vs.
" Marye and others on the 6th day of June,
" 1887; and, further, that he enter satisfac-
" tion of the judgments heretofore obtained
" by him against the defendants in said
" causes, and that he stand committed
" to the custody of the marshal of this
" Court until this order is obeyed and the
" fine hereby imposed upon him is paid.

" And it is further ordered that
" said John Scott do pay the costs of
" these proceedings.

" Hugh L. Bond, Circuit Judge."

And the cause of said imprisonment having been duly inquired into by this Court upon the return of said writ of habeas corpus heretofore issued herein, and

Counsel having been heretofore heard, and due consideration having been had, It is now here ordered by this Court that the imprisonment of said John Scott, under said order of said Circuit Court of the United States for the Eastern District of Virginia, is without authority of law and that the said John Scott is entitled to have his liberty; Whereupon, It is hereby ordered that the said John Scott be, and he is hereby, discharged from said imprisonment.

Per Mr. Justice Matthews.

Dissenting.

Mr. Justice Harlan.

Ex parte: In the matter of J. B. McCabe, Original — Petitioner.

On petition for a writ of habeas corpus.

On consideration of the application for the discharge of the petitioner, J. B. McCabe, the writ of habeas corpus directing the Marshal of the United States for the Eastern District of Virginia to produce the body of the said J. B. McCabe before this Court and to

certify the cause of his detention and imprisonment having been duly issued and served, and the said Marshal having produced the body of said J. B. McCabe and having certified that said J. B. McCabe is detained in his custody under and by virtue of the order of the Circuit Court of the United States for the Eastern District of Virginia, which said order is in the following words, viz:

"In re J. B. McCabe.

"This matter came on this day to be heard upon the rule heretofore issued against J. B. McCabe, Commonwealth's attorney for the county of Loudon to show cause why he should not be attached for contempt in disobeying the restraining order of this court heretofore granted in the suit of Cooper et als. vs. Marye et als. now pending in this Court, and his answer thereto. On consideration whereof, the Court is of opinion, and doth order and adjudge that the said J. B. McCabe is guilty of contempt in his disobedience of said order, and

"that he do forthwith dismiss all suits
"under the act of May 12th 1887, now pend-
"ing in the Circuit Court of Loudon county.
"And the Court doth further order
"and adjudge that the said J. B. McCabe
"for his said contempt be fined the sum of
"$100.00; that he be taken into the custody
"of the Marshal of this Court and by him
"held until the said fine be paid and he purge
"himself of said contempt by dismissing the
"suits brought or prosecuted in violation of the
"restraining order of this Court, and that he
"pay the costs of these proceedings.
"Hugh L. Bond, Circuit Judge."

And the cause of said imprisonment having been duly inquired into by this Court upon the return of said writ of habeas corpus heretofore issued herein, and counsel having been heretofore heard, and due consideration having been had,

It is now here ordered by this Court that the imprisonment of said J. B. McCabe, under said order of said Circuit Court of the United States for the Eastern District of Virginia, is without authority of law

and that the said J. B. McCabe is entitled to have his liberty; Whereupon, It is hereby ordered that the said J. B. McCabe be, and he is hereby, discharged from said imprisonment.

per Mr. Justice Matthews.

Dissenting:
Mr. Justice Harlan.

Peter Mugler vs. Plff. in Error, The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Peter Mugler
vs. Pltf. in Error,
The State of Kansas.

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

The State of Kansas ex rel: G. F. Tuttle, Assistant Attorney General of the State of Kansas for Atchison County, Kansas.
934. vs. Appellant,
Herman Tiebold and Joseph Nagelin, partners as Tiebold & Nagelin.

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree granting to the State of Kansas such relief as the act of March 7, 1885, authorizes.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Field.

Milton F. Lamaster,
76. vs. Pltf. in Error,
John W. Keeler.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to award a new trial.

per Mr. Justice Field.

51. Joseph Seal, Henry Coleman, John Y. Todd and John S. Sitts, partners as H. Seal & Company vs. Pltfs. in Error, John E. Bilby.

In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Per Mr. Justice Miller.

52. Joseph Teal, Henry Coleman, John Y. Todd and John S. Storrs, partners as J. Teal & Company, Plffs. in Error, vs. John S. Bilby.

In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Leopold Lacombe, Frank M. Hall and Samuel Stafford, Commissioners of The Mechanics and Traders Bank, in liquidation, vs. Appellants, Edmond J. Forstall's Sons as Agents of Baring Bros. & Co., Mrs. Caroline Berault, widow &c.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Thomas H. Stryker, Executor of John Stryker, deceased, Plff. in Error, vs. George Crane, Administrator of Edward K. Goodnow, deceased. — In Error to the Supreme Court of the State of Iowa.

42.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Richard B. Chatsman, Plff. in Error, vs. George Crane, Administrator of Edward K. Goodnow, deceased. — In Error to the Supreme Court of the State of Iowa.

215.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

George W. Welles, Executor vs. Woolsey Welles, A. T. Welles & W. W. Welles Jr., Exrs. in Error, George Crane, Administrator of Edward K. Goodnow, deceased.

In Error to the Supreme Court of the State of Iowa.

6 Sep.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme

Court in this cause be, and the same is hereby, affirmed with costs.

Chief Justice Waite.

Edward N. Litchfield, Executor of Edwin D. Litchfield, deceased, Plff. in Error, vs. George Graham Administrator of Edward N. Bradner, deceased. Deft. in Error.

In Error to the Supreme Court of the State of Iowa.

670.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Chief Justice Waite.

Edward N. Litchfield, Adm'r of Grace N. Litchfield, deceased, vs. Pltf. in Error, George Crane, Adm'r of Edward N. Goodnow, deceased. } In Error to the Supreme Court of the State of Iowa.

No. 191.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Richard B. Chapman, vs. Pltf. in Error, George Crane, Adm'r of Edward N. Goodnow, deceased. } In Error to the Supreme Court of the State of Iowa.

No. 214.

Monday, December 6th, 1869 continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White.

43. Thomas N. Stryker, Executor of John Stryker, deceased, Plff. in Error, vs. George Crane, Administrator of Edward K. Goodnow, deceased. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment and decree of the said Supreme

Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Edward N. Litchfield, Administrator de bonis non of Horace N. Litchfield, deceased, Plff. in Error, vs. George Crane, Administrator of Edward T. Goodnow, deceased. } In Error to the Supreme Court of the State of Iowa.

144.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the judgment and decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	The Des Moines Navigation and Railroad Company,	In Error to the Supreme
45.	vs. Plff. in Error,	Court of the
	The Iowa Homestead Company.	State of Iowa:

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of for further proceedings to be had therein not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Waite.

	J. B. Plumb,	In Error to the
350.	vs. Plff. in Error,	Supreme Court
	George Crane, Administrator of Edward K.	of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the judgment and decree of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Waite.

Cassier v Binder, In Error to the Su-
93. vs. Plffs. in Error, preme Court of the
Samuel M. Kennedy. State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause

be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

Louis Benites vs. Pltf. in Error, Benjamin Hampton. — In Error to the Supreme Court of the Territory of Utah.

No. 55.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The New York, Lake Erie & Western Railroad Company, Pltf. in Error, vs. George K. Madison. — In Error to the Circuit Court of the United States for the Northern District of Ohio.

No. 56.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

Per Mr. Chief Justice White.

3. Z. T. Hodgington, Plffs. in Error, vs. George Adams, Burtes and Brother. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The Central of the State of California
1887. vs. Plffs. in Error
The Central Pacific Railroad Company.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on January 9th 1888, with the cases of the same class heretofore assigned for that day.

Per Mr. Chief Justice Waite.

The State of North Carolina et al.,
934 vs. Appellants,
Alfred M. Semble.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

The St. Paul & Pacific R.R. Co. et al., Appellants, vs. The Northern Pacific R.R. Co.

In consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

The United States ex rel: Luzarda Angarica de la Rua, Executrix &c., vs. Thos. F. Bayard, Secretary of State.

Dkt. Sff. in Error,

In consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument after the cases heretofore assigned for the first day that the Court may be in session after the holiday recess.

Per Mr. Chief Justice Waite.

The Steam Canal Boat
Sydney &c.,
213. vs. Appellant,
The Providence Washington
Insurance Company
et al's.

On consideration
of the motion to
dismiss in this
cause, It is now
here ordered by
the Court that
said motion be,

and the same is hereby, continued for hearing with the case on its merits.

Per Mr. Chief Justice Waite.

271. Joseph Natal et al's., Plff's in Error, vs.
The State of Louisiana's.

272. Joseph Hug, Plff. in Error, vs.
The State of Louisiana's.

273. Timothé Rauché, Plff. in Error, vs.
The State of Louisiana's.

274. Joseph Natal, Plff. in Error, vs.
The State of Louisiana's.

On consideration of the motion for a rule on G. V. Guillotte, Mayor of the City of New Orleans, and Henry Larquie, Sheriff, to show cause why they should not be attached for contempt in violating the

Supersedeas in these cases, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

1266. The United States, Plaintiff, vs. Sigismund Hess, alias Samuel Hayes. Mr. Solicitor General Jenks, of counsel for the Plaintiff, submitted to the consideration of the Court a motion to advance this cause.

927. The United States, Plaintiff, vs. Douglas Smith. Mr. Solicitor General Jenks, of counsel for the Plaintiff, submitted to the consideration of the Court a motion to advance this causes.

47. Emil Delbermann et al., Plffs. in Error, vs. E. A. Merritt, Collector &c. On motion of Mr. D. N. Chamberlain, of counsel for

the plaintiffs in error, leave is hereby granted the Clerk to issue the mandate in this cause.

914. John W. Brazer, vs. Nicholas and Mary Schofield. Appellant, Mr. Leander Holmes, of counsel for the appellant, suggested the death of John W. Brazer, the appellant herein, and moved the Court to make Minnie Brazer, devisee and executrix of John W. Brazer, the early appellant in this cause. Whereupon, It is now here ordered by the Court that Minnie Brazer, devisee and executrix of John W. Brazer, deceased, as aforesaid, &c, and she is hereby, made the early appellant in this cause.

1303. Ray Walter Jr., et al., vs. Plffs. in Error, The Commonwealth of Pennsylvania. The motion to advance this cause and assign it for argument with case No. 914 was submitted to the

consideration of the Court by Mr. L. D. Gilbert and Mr. D. T. Watson, in support of the same, and Mr. Wayne MacVeagh, in opposition thereto.

96. The Leather Manufacturers' National Bank vs. Plff. in Error, The Merchants National Bank. — The argument of this cause was continued by Mr. John C. Burrill, of counsel for the defendant in error, and concluded by Mr. John C. Clarkson, of counsel for the plaintiff in error.

97. The Texas & Pacific Railway Co. vs. Plff. in Error, Henry S. Marlor. — The argument of this cause was commenced by Mr. John F. Dillon, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 6th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that J. Mitchell Symy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. John F. Dillon it is ordered that Henry Jaynes, Esquire, of Muscatine, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1261. Charles R. Bissell, Plff. in Error, vs. The Township of Spring Valley, Cherokee County, Kansas. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. William Burry, of counsel for the plaintiff in error, and Mr. W. H. Rossington, Mr. J. R. Hallowell and Mr. Charles B. Smith, of counsel for the defendant in error.

97. The Texas & Pacific Railway Co., Plff. in Error, vs. Henry S. Marlor. The argument of this cause was continued by Mr. John F. Dillon, of counsel for the plaintiff in error, and Mr. John R. Dos Passos, of

counsel for the defendant in error, and concluded by Mr. John F. Dillon, of counsel for the plaintiff in error.

78. Lewis H. Beeson et als., Trustees vs. Plffs. in Error, John Johns, Admr. vs. et als.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Nathaniel Bacon, of counsel for the plaintiffs in error, and Mr. Elisha Parsons, of counsel for the defendants in error.

79. The Marquette, Houghton & Ontonagon R.R. Co., vs. Plff. in Error, The United States.

This cause was argued by Mr. W.P. Healy, of counsel for the plaintiff in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

Charles S. Lawson
vs. Howe County,
&c. &c. &c. Appellants
Alexander Henry Davis.

The argument of this cause was commenced by Mr. Samuel Shellabar. Jr., of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 9th 1874.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. W. Willoughby it is ordered that David Dim, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Stephen L. Mills, Plff. in Error, vs. Stephen Dow. No. 110.

Mr. C. A. Collins, in behalf of coun. sel for the plaintiff in error, suggested the death of Stephen Dow, the defendant in error in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties: Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Stephen Dow, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the plaintiff in error shall be entitled to open the record, and, on hearing, have the judgment reversed, if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the State of Massachusetts for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Wednesday, December 9th 1891, continued.

Edward C. Davison
et. Vare. Hunsty,
vs. Appellants
Alexander Henry Davis.

The argument of this cause was conducted by Mr. Manor Hunsty, of counsel for the appellants, and the cause was submitted on printed arguments by Mr. George F. Comstock and Mr. Alexander Cobe Humphrey, of counsel for the appellee.

John Henry Pat George
et. Lino.
vs. Err. in Error,
The United States.

An Error to the Circuit Court of the United States for the Western District of Texas.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, In pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

102. The Northern Pacific R.R. Co., Plff. in Error, vs. Richard Mares. This cause was argued by Mr. Thomas McNaught, of counsel for the plaintiff in error, and Mr. Thomas Wilson, of counsel for the defendants in error.

103. Jane S. Robison, individually & as Executrix &c., Appellant vs. The Female Orphan Asylum of Portland et al. This cause was argued by Mr. Samuel B. Clarke, of counsel for the appellant, and submitted on a printed argument by Mr. John Rand, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthew
Horace Gray 2nd
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Mitchell Tyng it is ordered that George Habricstier, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry R. Bond,
Trustee,
1143. vs. Appellant,
Sarah L. Davenport.

Mr. Henry Gaynes, of counsel for the appellant, submitted to the consideration of the Court a motion to reverse the decree of the Circuit Court in this cause per stipulation of counsel.

Milo Hoadley,
379. vs. Pltff. in Error,
The City & County of San Francisco.

Mr. W. W. Morrow, in behalf of counsel for the plaintiff in error, suggested the death of Milo Hoadley, the plaintiff in error in this cause, and moved the Court to make R. Frank Clark and William J. Morgan, Administrators with the will annexed of said Milo Hoadley, the parties plaintiffs in error in this cause. Whereupon, It is now here ordered by the Court that R. Frank Clark and William J. Morgan, Administrators with the will annexed of Milo Hoadley, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

9.	T. Frank Clark and William G. Morgan, Administrators &c., Plffs. in Error, vs. The City and County of San Francisco.	This cause was submitted to the consideration of

the Court, pursuant to the 20th rules, on the record and printed arguments by Mr. O. W. Holladay, of counsel for the plaintiffs in error, and Mr. George Flournoy and Mr. G. B. Mhoon, of counsel for the defendants in error.

11.	Everett De Witt et al., Plffs. in Error, vs. Charles McLaughlin.	Mr. A. L. Rhodes, of counsel for the defendant in error, suggested

the death of Charles McLaughlin, the defendant in error in this cause, and moved the Court to make Nate D. McLaughlin, Executrix of Charles McLaughlin, deceased, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that Nate D. McLaughlin, Executrix of Charles McLaughlin, deceased, be, and she is hereby, made the party defendant in error in this cause.

George Friend et al.,
12. vs. Plffs. in Error,
Tully R. Wise.

Mr. A. L. Rhodes, of counsel for the defendant in error, suggested the death of Tully R. Wise, the defendant in error in this cause, and moved the Court to make John N. Wise, Administrator of the said Tully R. Wise, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that John N. Wise, Administrator of Tully R. Wise, deceased, be, and he is hereby, made the party defendant in error in this cause.

Cyprus N. McCormick et al.
Executors &c.,
379. vs. Appellants,
Hugh Graham.

Mr. Ephraim Banning, of counsel for the appellees, suggested the death of Hugh Graham, the appellee in this cause, and moved the Court to make Peter Whitmer, Administrator of the said Hugh Graham, the party appellee in this cause. Whereupon, It is now here ordered by the Court that Peter Whitmer, Administrator

of Hugh Graham, deceased, &c, and he is hereby, made the party appellee in this cause.

Theodore H. Vetterlein et als., vs. Appellants, Demas Barnes, Assignee vs.

The argument of this cause was commenced by Mr. J. Mitchell Nagle, of counsel for the appellants, continued by Mr. Harrington Putnam, of counsel for the appellee, and concluded by Mr. Calderon Carlisle, of counsel for the appellants.

No. 63.

George W. Radford, Assignee vs. et als., vs. Appellants, James Folsom, Administratrix vs. et als.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. J. T. Anderson and Mr. Frank Nagerman, in support of the same, and Mr. W. F. Sapp and Mr. W. H. Smith, in opposition thereto.

The United States,
1027. vs. Appellant,
Nate D. McLaughlin et al.

On motion of Mr. M. Mullany, of counsel for the appellant,

Ordered that counsel on each side be allowed two hours additional time on the argument of this cause.

The United States
1027. vs. Appellant,
Nate D. McLaughlin et al.

The argument of this cause was commenced by Mr. Mich. Mullany, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 9th, 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthew
Horace Gray and
Samuel Blatchford

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that James F. Dwight, Esquire of Stockbridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that L. J. Michener and Charles F. Griffin, Esquires, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1024. The United States, Appellant, vs. Nate D. McLaughlin et al. The argument of this cause was continued by Mr. Mich. Mullany, of counsel for the appellant, and Mr. A. L. Rhodes and Mr. L. W. Elliott, of counsel for the appellees.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday, December 12th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Stanley Matthews
Horace Gray, and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Johns it is ordered that M. B. Berry, Esquire, of Montrose, and Charles F. Caswell, Esquire, of Grand Junction, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Lambertson it is ordered that Lionel C. Burr, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that John H. Hickcox, Junior, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that J. C. Beckham and P. J. Force, Esquires, of Shelbyville, State of Kentucky, and George W. Van Slyck, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr William A Glover it is or-
dered that Sherman Church, Esquire, of New
York City, be admitted to practice as an At-
torney and counsellor of this Court and he
was sworn accordingly.

James P. Crawford,		Appeal from the
192	vs. Appellant,	Circuit Court
Isaac W. Heysinger, Christian		of the United
H. Hershey and J. Loren Heysinger		States for the
trading as The Philadelphia		Eastern Dis-
Novelty Manufacturing		trict of Penn-
Company.		sylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was ar-gued by counsel. On consideration whereof, It is now here ordered, adjudged and de-creed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remand-ed to the said Circuit Court with a direction

to dismiss the bill of complaint.

per Mr. Justice Blatchford.

	Benjamin J. Wilson,	Appeal from
86.	vs. Appellant,	the Circuit
	William C. Riddle, as Trustee	Court of the
	for his wife Seny Ann S. Riddle	United
	and children, Seny Ann S. Riddle,	States for the
	wife of William C. Riddle,	Southern
	Annie E. Minar, wife of J. M.	District of
	Minar (formerly Annie E.	Georgia.
	Riddle) et als.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Georgia.

per Mr. Justice Blatchford.

	William Hailes James and Charles Seltzer,	Appeal from the Circuit Court of
79.	vs. Appellants,	the United States
	The Albany Stove Company.	for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

	Roger M. Sherman	In Error to the Cir-
732.	vs. Plff. in Error,	cuit Court of the
	Irving Grinnell and	United States for
	George S. Bowdoin,	the Southern Dis-
	Executors of Moses	trict of New York.
	H. Grinnell, deceased.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

	The United States,	In Error to the Cir-
1050.	vs. Def. in Error,	cuit Court of the United
	Clement Hugh Hill and	States for the District of
	William G. Russell.	Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on a motion to dismiss the writ of error, or affirm the judgment, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

L. Zeckendorf and Albert Steinfeld, partners under the firm-name of L. Zeckendorf & Co.,

vs. Appellants

John S. Johnson.

Appeal from the Supreme Court of the Territory of Arizona.

344.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Arizona, and on a motion to dismiss the appeal, or affirm the decree, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Henry R. Bond, Trustee,

vs. Appellant

Sarah G. Davenport.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

145.

This cause having been submitted to the consideration of the Court upon the transcript of the record and a stipulation to reverse the following part of the decree of the said Circuit Court:

"It is further ordered, adjudged and decreed that the said respondent, Sarah S. Davenport, pay to the complainant the sum of five-hundred and sixteen and 11/100 dollars, with interest at the rate of six per cent per annum from the 10th day of May, 1883, the same being the amount, with interest, which the undivided half of the south half of block fifty-nine (59) which descended to, and has become vested in, the said Sarah S. Davenport as the mother, and an heir at law of the said George S. Davenport, deceased, is chargeable for and on account of taxes on said block fifty-nine (59), which were paid and discharged out of the money advanced by the said Equitable Trust Company on the 28th of June, 1875; and that on failure to pay the said sum within the time herein limited the said master sell, at public sale, so much of the said Sarah

" F. Davenport's undivided half of the
" South half of said block fifty-nine (59)
" as shall be necessary to pay the same.
" Such sale to be made at the same place
" and in the same manner, and in all re-
" spects as herein prescribed for the sale
" of the property of the said George L. Daven-
" port and with like effect. It is further or-
" dered, adjudged and decreed that upon
" payment by the said Sarah F. Davenport
" of the said sum of five hundred and six-
" teen and 77/100 dollars to the said complain-
" ant, complainant's bill be dismissed as
" to the undivided one-half of the south half
" of said block fifty-nine (59), which vested
" in, and to which the said Sarah F. has
" become entitled, as the mother and heir
" at law of the said George A. Davenport,
" deceased.
" And it is further ordered, adjudged and
" decreed that, as between the complainant
" and the said Sarah F. Davenport, the said
" Sarah F. Davenport recover of the complain-
" ant the costs of this suit, so far as made,
" in trying the issue of the sanity of said

"George A. Davenport at the time of the
"making and delivery of said mortgage
"set up in complainant's original bill."

The Stipulation is in the following words, viz:

"In the Supreme Court of the United States.

Henry R. Bond, Trustee, Appellant,

vs.

Sarah E. Davenport, Appellee.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

In the before mentioned suit it is stipulated by and between Henry R. Bond, Trustee, complainant and appellant, The Equitable Trust Company of New London, Connecticut, the holder of the bonds secured by the mortgage sought to be enforced, and Sarah E. Davenport, appellee, being the sole parties in interest as follows, to wit:

1. Said Sarah E. Davenport hereby withdraws the answer and cross-petition filed by her, in said suit, and all evidence, offered and introduced by her in said Circuit Court, and consents and agrees that the same shall not be considered as part of the record.

2. It is agreed that a decree shall be entered by the Supreme Court, in said suit, reversing the decision and decree of the said Circuit Court, in so far as said court found in favor of said Sarah F. Davenport, and in so far as said court by its decree denied to complainant the relief by him prayed, as against the undivided half of the south half of block fifty-nine (59), in the City of Davenport, Iowa, claimed by Sarah F. Davenport, as mother and heir at law of George A. Davenport, deceased, and in so far as said court, by its said decree, undertook to dismiss complainant's bill as against said property, and to tax certain costs to complainant and that this cause be remanded to said Circuit Court with instructions to enter a decree in complainant's favor, declaring the sums owing upon said bonds, secured by said mortgage, to be a lien upon the premises in said mortgage, described as of the date of said mortgage, and directing sale of sufficient of said premises to pay the same, and further directing that the receiver heretofore appointed in said cause

shall turn over to the complainant all the funds in his hands arising from the rentals of said premises, the same to be credited upon the amount found to be owing upon said bonds secured by said mortgage before sale of said premises, and further directing that the complainant be permitted to further plead and bring in new parties if so advised.

3. The complainant and appellant is excused from printing the record in this suit, save and except such portions thereof as to him shall seem material to enable the Court to dispose of said suit under this stipulation.

4. The attorney or solicitor who has entered his appearance in this suit is authorized to consent to such demand or requirement of the complainant or the said Court, as shall enable the complainant to have the said decree of the Circuit Court reversed, said cause remanded, and a final decree entered in the Circuit Court in complainant's favor, and for that purpose is hereby authorized to appear in said Circuit Court to any pleading filed by the complainant.

5. No personal judgment shall be entered against the said Sarah E. Davenport in said suit, or any costs taxed either against her or in her favor.

November 15, 1887.

Henry R. Bond, Trustee.
By Jayne & Hoffman, Attorneys.
Sarah E. Davenport (Seal).
The Equitable Trust Company
By Jayne & Hoffman, Attorneys.
W. F. Brannan,
of counsel for complainant.
Geo. E. Hubbell
Attorney for Sarah E. Davenport.

Endorsed: Filed December 5, 1887."

On consideration whereof, It is thereupon in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that that part of the decree of the said Circuit Court, in this cause, hereinbefore recited, be, and the same is hereby, reversed without costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in accordance with the foregoing stipulation

of the parties to this appeal but without prejudice to the rights of the other parties to the suit.

Per Mr. Chief Justice Waite.

180. The United States, Appellant, vs. Charles W. Beebe et al. Ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the case is reached in its regular order on the call of the docket.

Per Mr. Chief Justice Waite.

929. The United States Plaintiff, vs. Douglas Smith. On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument immediately after the cases heretofore assigned for argument on Monday, January 9.

Per Mr. Chief Justice Waite.

The United States,
266. vs. Plaintiff,
Sigismund Hess alias
Samuel Hayes.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument next after No. 924.

Per Mr. Chief Justice Waite.

Hay Walker Jr. et al.,
303. vs. Plffs. in Error,
The Commonwealth of
Pennsylvania.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument immediately after No. 914. heretofore assigned for the first day that the Court may be in session after the holiday recess.

Per Mr. Chief Justice Waite.

811. W. P. Ewin et al., Plffs. in Error, vs.
J. A. Talbott et al.

812. John L. Morris, Plff. in Error, vs.
J. A. Talbott et al.

1172. Abraham Buol et al., Plffs. in Error, vs.
James A. Murray.

1174. W. J. & Tamara et al., Plffs. in Error, vs.
James A. Murray.

1175. Samuel Lewis et al., Plffs. in Error, vs.
James A. Murray.

1176. Patrick Talent et al., Plffs. in Error, vs.
James A. Murray.

1177. John L. Reins et al. Plffs. in Error, vs.
James A. Murray.

1178. Charles Richardson et al., Plffs. in Error, vs.
James A. Murray.

1179. Geo. W. Peal et al., Plffs. in Error, vs.
James A. Murray.

1180. Henry Jacobs et al., Plffs. in Error, vs.
James A. Murray.

1181. Christian Tissler, Plff. in Error, vs.
James A. Murray.

1182. Simon Fanswirth et al., Plffs. in Error, vs.
James A. Murray.

1183. A. Fanswirth et al., Plffs. in Error, vs.
James A. Murray.

Monday, December 12th, 1887.

1154. D. H. Steele et al., Plffs. in Error, vs.
James A. Murray.

1185. P. J. Hamilton et al., Plffs. in Error, vs.
James A. Murray.

1186. A. Sands et al., Plffs. in Error vs.
James A. Murray.

1187. Jas. L. Hamilton, Plff. in Error, vs.
James A. Murray.

1188. H. D. Hauser et al., Plffs. in Error, vs.
James A. Murray.

1189. Mary Bernard, Plff. in Error, vs.
James A. Murray

1190. Moses Harris, et al., Plffs. in Error, vs.
James A. Murray.

1191. A. J. Davis, Plff. in Error, vs.
James A. Murray.

1192. J. L. Hamilton et al., Plffs. in Error, vs.
James A. Murray.

1193. The 1st Nat'l Bank of Butte, Plff. in Error, vs.
James A. Murray.

1194. D. H. Cohen et al., Plffs. in Error, vs
James A. Murray.

1195. A. J. Dovenspeck et al., Plffs. in Error, vs.
James A. Murray.

1196. D. H. Bellinger et al., Plffs. in Error, vs.
James A. Murray.

1197. John M. Bowes, Plff. in Error, vs.
James A. Murray.

1198. Jeremiah Roach, Plff. in Error, vs.
James A. Murray.

1199. L. F. Schmidt et al., Plffs. in Error, vs.
James A. Murray.

1200. D. H. Cohen, Plff. in Error, vs.
James A. Murray.

1203. Jefferson McCauley, Plff. in Error, vs.
James A. Murray.

On motion of Mr. George F. Edmunds, it is ordered by the Court that the plaintiffs in error in these cases have leave to file assignments of errors on or before the first day of the next term.

937. Joseph Anderson et al., Plffs. in Error, vs. Levi Cartins.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. A. A. Bowen, in support of the same, and Mr. B. M. Woolworth in opposition thereto.

148. Jacob Treiger Sr., Plff. in Error, vs. The Shelby Railroad et al.

149. Jacob Treiger Sr. et al., Plffs. in Error, vs. The Shelby Railroad et al.

150. Jacob Treiger Sr. et al., Plffs. in Error, vs. The Shelby Railroad et al.

These cases were submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. B. H. Buckner, of counsel for the plaintiffs in error, and Mr. G. C. Beckham and Mr. P. G. Force, of counsel for the defendants in error.

106. Frederick Stitzel, Thomas N. Sherley, Nathan Hofheimer, George N. Moore and Max Selliger, Appellants, vs. John M. Atherton, Lavin N. Cochran and Edward Fulton. } Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause being called to the attention

of the Court by Mr. B. F. Buckner, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The Schooner "Maggie G. Smith", Robert G. Dun et al., Claimants, vs. Samuel N. Walker et al. Appellants

65. Mr. Sebastian Brown, of counsel for the appellees, submitted to the consideration of the Court a motion to modify the decree entered by this Court in this cause.

George L. Thayer, Trustee, vs. Peter Butler, Receiver etc. (Ex parte in Error)

308. Mr. George A. Gentz, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

James L. Collier
318. vs. Appellant.
A. A. Wilson, Marshal. Mr. F. K. Nielsen, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

John N. A. Griswold,
764. vs. Apellant,
Rowland G. Hazard et als.
And
John N. A. Griswold,
765. vs. Appellant,
Rowland G. Hazard et als. On motion of Mr. James Lowndes, in behalf of counsel for the appellant in these cases, It is ordered by the Court that citations be issued herein, returnable on the first Monday in March next.

Frank E. DeWolf et als.,
768. vs. Appellantes,
Florence W. Hayes. On motion of Mr. W. Hallett Phillips, of counsel for the appellees, leave is hereby granted Mr. B. F. Thurston to withdraw his appearance as

1301. Anthony J. Langdon et als., vs. Willis M. Sherwood, Plffs. in Error. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. M. Woolworth, of counsel for the plaintiffs in error, and Mr. J. M. Thurston, of counsel for the defendant in error.

1027. The United States, vs. Kate D. McLaughlin et al. Appellant, The argument of this cause was continued by Mr. L. W. Elliott, of counsel for the appellees, and concluded by Mr. Mich. Mullany, of counsel for the appellant.

10, Original. Ex parte: In the matter of Andrew J. Sawyer et als., Petitioners. This case was argued by Mr. J. M. Tamberton, in support of the petition, and Mr. L. C. Burr, in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 13th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that James W. Bannon, Esquire, of Portsmouth, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The County Court of Macon County et al., vs. Plffs. in Error, The U. S. ex rels: Alfred Huidekoper.

Mr. George E. Adams, in behalf of counsel for the defendant in error, presented a certificate of the Clerk of the Circuit Court of the United States for the Western District of Missouri, and moved the Court to docket and dismiss this cause pursuant to the 9th rule. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

105. D. N. Williams, vs. Plff. in Error, Edward D. Conger et al.

Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9. rule 26.

106. Alfred Richards, vs. Appellant, Brooke Mackall Jr.

This cause was argued by Mr. Enoch Totten, of counsel for the appellant, and Mr. W.

'07. The East Tennessee, Virginia & Georgia Railroad Co. vs. Plff. in Error, The Southern Telegraph Co.

This cause was submitted to the considera-tion of the Court on the record and a printed argument by Mr. Gay-lord B. Clark, of counsel for the plaintiff in error.

'08. James F. Whitney et als., vs. Plffs. in Error, W. M. Robertson, Collector &c.

and

'012 Hugh Kelly vs. Plff. in Error, E. L. Madden, Collector &c.

The argument of these cases was commenced by Mr. A. J. Willard, of counsel for the plaintiff in error in No. 108.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 11th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Byron G. Tillman, Esquire, of Buffalo, State of New York, and Richard Henry Stewart Esquire, of New Bloomfield, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1070. The United States, vs. David Mouat. Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. Linden Kent, of counsel for the appellee.

1071. The United States, vs. George E. Hendee. Appellant,

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. John Paul Jones and Mr. R. B. Lines, of counsel for the appellee.

108. James F. Whitney et al., Pltfs. in Error, vs. W. M. Robertson, Collector &c. 2d

The argument of these cases was continued by Mr. Solicitor General Jenks, of counsel for the defendants in error, and concluded by Mr. Henry E. Tremain, of counsel for the plaintiffs in error.

109. Louis Dryfoos, Appellant vs. William Wiese.

This cause was argued by Mr. Edmund Wetmore, of counsel for the appellant. No counsel appearing for the appellee on the argument.

111. E. E. Norton, Assignee &c., Appellant, vs. Levy Hood et al.

This cause was argued by Mr. John A. Campbell, of counsel for the appellees, and submitted on a printed argument by Mr. J. D. Rouse and Mr. E. N. Turner, of counsel for the appellant.

Mary E. R. Boyd, by her next friend James R. Boyer,
113. vs. Appellant.
William F. Wyly et al.

The argument in the cause was commenced by Mr. William L. Maury, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 15th, 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. W. Blair it is ordered that Hayes Lougee, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Memphis & Little Rock Railroad Company (as reorganized),
115. vs. Appellant,
Robert T. Dow and Watson Matthews, Trustees,
and
Robert T. Dow and Watson Matthews, Trustees,
64. vs. Appellants,
The Memphis & Little Rock Railroad Company, (as reorganized).

Appeals from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause having been called to the attention of the Court by Mr. U. M. Rose, of counsel, and a stipulation to dismiss the appeals having been filed, It is, therefore, now here ordered, adjudged and decreed by this Court that the appeals and cross-appeal in this cause be, and the same are hereby, dismissed, each appellant to bear his own costs; and it is further ordered, adjudged and decreed by this Court, in pursuance of said stipulation, that the liability of principals and sureties

upon each of the supersedeas bonds given upon said appeals be, and is hereby, released and discharged; and that if sale of the property of the said Railroad Company shall be made under the decree made by the Circuit Court in these proceedings the amount for which the property shall be sold shall be fixed with regard to the result of the appeals now pending in this Court entitled Russell case against The Memphis and Little Rock Railroad Company (as reorganized), No. 126, and The Memphis and Little Rock Railroad Company (as reorganized), against Russell case, No. 127; that is, if the appeal of said case or said Railroad Company or both shall be denied or dismissed so as to confirm to said Dow and Matthews as trustees the right to the moneys in controversy upon said last mentioned appeals, then the amount for which sale would otherwise be made shall be reduced by the amount of said moneys.

per Mr. Chief Justice Waite.

F. P. Talkington et al.,		The motion to dis-
168.	vs. Appellants	miss or affirm in
Henry M. Dumbleton		this cause was

submitted to the consideration of the Court on printed arguments by Mr. Frank U. Drake, in support of the same, and Mr. John N. Mitchell, in opposition thereto.

James Gooderham Worts		On motion of Mr.
et al., Executors &c.		L. B. Caswell,
603.	vs. Plffs. in Error,	in behalf of
The City of Watertown.		Counsel, leave

is hereby granted to withdraw the transcript of the record in this cause from the files for the purpose of correction.

The Baltimore & Ohio		This cause was
R. R. Co.,		submitted to the
381.	vs. Plff. in Error,	consideration of
John Burns and John		the Court, pursu-
C. Stokes.		ant to the 32d rule,

on the record and printed arguments by Mr. John K.

Bowen and Mr. Hugh L. Bond, Jr., of counsel for the plaintiff in error, and Mr. Albert Constable, of counsel for the defendants in error.

Mary E. R. Boyd, by her next friend, James R. Boyd,
113. vs. Appellant,
William G. Wyly et al.

The argument of this cause was continued by Mr. William A. Maury, of counsel for the appellant, and Mr. G. R. Beckwith and Mr. John T. Ludeling, of counsel for the appellees, and concluded by Mr. William A. Maury, of counsel for the appellant.

The United States,
112. vs. Plff. in Error,
Harrison Johnston.

The argument of this cause was commenced by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 26th, 1884.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices
Stanley Matthews
Horace Gray Jr.
Samuel Blatchford

John F. Nicolay, Esquire, Marshal.
Samuel A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court on this behalf by Mr. S. T. White it is ordered that Henry De Witt Hamilton, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Memphis & Little Rock Railroad Co. (as reorganized),	Mr. A. M. Clay of counsel for the appellees, by leave of Court filed a stipu-
125.	vs. Appellant,	
	Robert R. Doweral., Trustees.	

lation to correct the record in this cause.

	The United States,	The argument of this
112.	vs. Pltf. in Error,	cause was continued
	Harrison Johnston.	by Mr. Assistant
		Attorney General

Maury, of counsel for the plaintiff in error, and Mr. B. H. Bristow, of counsel for the defendant in error, and concluded by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error.

	Minnie Brazee, devisee and	This cause was
	Executrix of John W. Brazee,	argued by Mr.
	dec'd.,	Leander Holmes,
114.	vs. Appellant,	of counsel for the
	Nicholas and Mary Schofield.	appellant, and
		submitted on a

printed argument by Mr. Rufus Mallory, of counsel for the appellees.

Friday, December 16th 1887, continued.

D. H. Williams,
vs. vs. Plff. in Error.
Edward D. Conger et al.

The argument of this cause was commenced by Mr. Eugene Williams, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 19th 1884.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John F. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Clarence Brown, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. McGowan it is

ordered that De Lorez Caine, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Ferguson it is ordered that Robert B. Lehman, Esquire, of New Berne, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Spooner it is ordered that William Singer, Esquire, of Janesville, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. L. Richards it is ordered that Charles C. Richards, Esquire, of Ogden, Territory of Utah, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Texas and Pacific Railway Company, Plff. in Error, vs. Henry S. Mardor. } In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford.

Monday, December 19th 1887, continued.

	A. M. Hefner, Mrs. A. M. Hefner, Ira Babcock and Mrs. Ira Babcock,	In Error to the Circuit Court of the United
34.	vs. Defts. in Error,	States for the
	The Northwestern Mutual Life Insurance Company.	Southern Dist. of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

	Jane S. Robison, individually and as Executrix of Robert C. Robison, deceased,	Appeal from the Circuit
103.	vs. Appellant	Court of the
	The Female Orphan Asylum of Portland, The Portland Widows' Wood Society and The Home for Aged Women.	United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

The Northern Pacific Railroad Company, Plff. in Error, vs. Richard Mares. In Error to the Supreme Court of the Territory of Dakota.

102.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

The Aetna Life Insurance Company of Hartford, Connecticut, Plff. in Error,
vs.
Ada Davey.

On Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for another trial in accordance with the principles of the opinion of this Court.

Mr. Justice Harlan.

	The North Pennsylvania Railroad Company,	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
93.	vs. Pltff. in Error,	
	The Commercial National Bank of Chicago.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Field.

	The Marquette, Houghton & Ontonagon Railroad Company	In Error to the Circuit Court of the United States for the Western
99.	vs. Pltff. in Error,	
	The United States.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the Railroad Company on the facts found.

per Mr. Chief Justice Waite.

George W. Radford, Assignee in Bankruptcy of Simeon Folsom and Frank Folsom,
vs.
Appellants,
Agnes Folsom, Administratrix of Jeremiah Folsom, deceased, et al.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

763.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of Iowa, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

F. P. Talkington, D. Marx and E. C. Jorgensen, Appellants,
vs.
Henry M. Dumbleton.

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and on a motion to dismiss the appeal or affirm the decree which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

1/68.

John S. Kidd,
147. vs. Pltf. in Error,
S. E. Pearson et als.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted. A day will be fixed for the argument, on application, as soon as the Court is full.

per Mr. Chief Justice Waite.

James C. Callan,
318. vs. Appellant,
A. A. Wilson, Marshal.

On consideration of the motion to advance this cause, It is now here ordered by The Court that said motion be, and the same is hereby, granted and the cause assigned for argument next after the cases heretofore assigned for Monday, January 9th.

per Mr. Chief Justice Waite.

Joseph Anderson et als.,
937. vs. Plffs. in Error,
Levi Larkins.

Ordered by the Court that the motion to dismiss in this

cause be, and the same is hereby, continued for hearing with the case on its merits.

Per Mr. Chief Justice Waite.

The Schooner "Maggie J. Smith", Robert G. Dun et al., Claimants, Appellants, vs. Samuel N. Walker et al. 65.

On consideration of the motion to modify the decree of this Court in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

George L. Thayer, Trustee, Plff. in Error, vs. Peter Butler, Receiver &c. 308.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

Ex parte: In the matter of Albert Grant, Petitioner. 2, Original.

Petition for a Writ of Mandamus.

It is now here ordered by the Court that this cause be, and the same is hereby, dismissed for the want of prosecution.

Per Mr. Chief Justice Waite.

605. The Great Falls Manufacturing Co., vs. Appellant, A. H. Garland, Attorney General et als. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. B. F. Butler and Mr. O. D. Barrett, of counsel for the appellant, and Mr. Solicitor General Jenks, of counsel for the appellees.

367. Cyrus Woodman et als., vs. Plffs. in Error, The Missionary Society of the Methodist Episcopal Church. The motion to set aside the order of dismissal under the 29th rule herein was argued by Mr. George, 11th Moore, in support of the same, and Mr. De Forest Paine, in opposition thereto.

Count J. Feltner,
vs. Pltf in Error,
George W. Russ.

Mr. John J. Weed,
of Counsel for the defendant in error,
having filed in
this Court the following certificate, to wit:

The United States of America
Western District of Texas.
City of Austin, Texas.

I, D. N. Hart, Clerk of the Circuit Court of the United States for the Fifth Circuit and Western District of Texas at Austin, Texas, do hereby certify that in a certain cause pending in said court wherein George W. Russ was plaintiff and Count J. Feltner was defendant, a final judgment was rendered by the Court upon the verdict of a jury on the ninth day of March 1887 in favor of the said George W. Russ the plaintiff in said cause as aforesaid and against said Count J. Feltner, defendant. Whereupon a writ of error was prayed for by the said Count J. Feltner defendant as aforesaid and allowed and issued out on the ninth day of May, A. D. 1887, and on the 9th day of May 1887, the said Count J. Feltner defendant as aforesaid filed a bond with sureties in the

sum of Seven hundred dollars to secure the payment of the costs in said cause on said writ of error.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Circuit Court at Austin Texas this the 20th day of November A.D. 1888, and the Independence of the United States of America the one hundred and eleventh.

(Seal) "D.K. Short Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have this cause docketed and docketed in conformity with the rules of this Court, It is therefore ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Western District of Texas be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

The National Bank
of Commerce,
1321. vs. Pltf. in Error.
The City of Boston.

Mr. George F. Hoar,
of counsel for the
defendant in error,
submitted to the
consideration of the
Court a motion to advance this cause.

Anthony Lawson,
1322. vs. Appellant,
George K. Co. Floyd.

Mr. James N. Ferguson,
of counsel for the appellant,
suggested the death of
Anthony Lawson, the
Appellant herein, and moved the Court to
make Robert M. Lawson, Executor of An-
thony Lawson, deceased, the party appellant
herein. Whereupon, it is now here ordered
by the Court that Robert M. Lawson, Exec-
utor of Anthony Lawson, deceased, as afore-
said, &c, and he is hereby, made the party
appellant in this cause.

The Western Union Telegraph Co.
1325. vs. Appellant,
The Attorney General of the
Commonwealth of Massa-
chusetts.

Mr. N. C.
Bliss, of
counsel, sub-
mitted to
the consider-

ation of the Court a motion to advance the cause.

Motion & Affidavit
Presented.

Pye. vs. Appellant.
The Mercantile National
Bank of Cincinnati,
Ohio.

Mr. Solicitor General
Brown of counsel
for the appellee
Court submitted
to the consideration
of the Court
a motion to
advance this cause.

John H. Williams,
Adm^r &c. vs.

Sy. vs. Appellant
The United States

The motion to
remit the record
in this cause
was argued by
Mr. George A.
Bouticou. in support of the same
The motion was then withdrawn by
Mr. Bouticou.

D. H. Williams,
105. vs. Plff. in Error,
Edward D. Conger et al.

The argument of this cause was continued by Mr. Eugene Williams, of counsel for the plaintiff in error, and Mr. E. H. Graham, of counsel for the defendants in error.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 20th, 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The State of North Carolina
vs. Appellants
Alfred M. Temples.

Mr. S. F. Phillips, of counsel for the appellees, submitted to the Consideration of the Court a motion to advance this cause.

034.

Tuesday, December 20th 1884, continued.

George W. Radford,
Assignee &c. et al.,
162. vs. Appellants,
Agnes Folsom,
Adm.x &c., et al.

On motion of Mr. W. H. Smith, of counsel for the appellants, leave is hereby granted to withdraw the transcript of the record in this cause from the files of this Court on leaving with the Clerk a receipt therefor.

E. G. Williams,
105. vs. Plff. in Error,
Edward D. Conger et al.

The argument of this cause was continued by Mr. E. H. Graham, of counsel for the defendant in error, and concluded by Mr. Eugene Williams, of counsel for the plaintiff in error.

Cornelius Gumbel,
16. vs. Plff. in Error,
John R. G. Pitkin,
U. S. Marshal, et al.

This cause was argued by Mr. Charles F. Buck, of counsel for the plaintiff in error, and Mr. Wm. A. Maury, of counsel for the defendants in error.

117. E. S. Searle, vs. Plff. in Error. School District No 2 in the County of Lake, Colorado.

This cause was argued by Mr. Walter N. Smith, of counsel for the plaintiff in error.

and submitted on a printed argument by Mr. C. C. Rose and Mr. F. W. Owens, of counsel for the plaintiff in error. No counsel appeared for the defendant in error on the argument.

118. B. Dreyfus & Co., vs. Appellants. Sophia Searle, Executrix &c.

The argument of this cause was commenced by Mr J. Hubley Ashton, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Wednesday, December 21st 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John G. Nicolay, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James B. Perkins it is ordered that Edwin H. Risley, Esquire, of Utica, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

B. Dreyfus & Co.,
118. vs. Appellants
Cobnia Searle, Executrix &c.

The argument of this cause was continued by Mr. J. Hubley Ashton, of counsel for the appellants, and Mr. Andrew C. Bradley, of counsel for the appellee, and concluded by Mr. J. Hubley Ashton, of counsel for the appellants.

Elizabeth Matthews and
George Matthews,
Surviving Executors &c.,
119. vs. Appellants,
The Iron Clad Manufacturing Co.

The argument of this cause was commenced by Mr. A. V. Briesen, of counsel for the appellants, and continued by Mr. Frederic N. Betts, of counsel for the appellee, and Mr. A. V. Briesen, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 22d. 1887.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John C. Nicolay, Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John H. Mitchell it is ordered that T. H. Wheeler, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The King Iron Bridge & Manufacturing Co., Pl'ff in Error, vs. The County of Otoe & Nebraska.

This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr. N. S. Harwood and Mr. G. H. Ames, of counsel for the plaintiff in error, and Mr. John C. Watson, of counsel for the defendant in error.

No. 119.

Elizabeth Matthews and George Matthews, surviving Executors of John Matthews, deceased, Appellants vs. The Iron Clad Manufacturing Company.

Mr. A. H. Garrison, of counsel for the appellants, suggested the death of George Matthews, one of the appellees in this cause, and moved the Court that the cause proceed in the name of Elizabeth Matthews, Executrix of John Matthews, deceased. Whereupon, It is now here ordered by the Court that this cause proceed in the name of Elizabeth Matthews,

Executrix of John Matthews, deceased, as the party appellant herein.

	Elizabeth Matthews, Executrix &c.,	The argument of this cause was
119.	vs. Appellant	concluded by Mr.
	The Iron Clad Manufacturing Co.	A.V. Briesen, of counsel for the appellant.

	Henry C. Roberts et al.,	This cause was
120.	vs. Plffs. in Error,	argued by Mr.
	Henry M. Benjamin.	James Brock Perkins, of counsel

for the plaintiffs in error, and Mr. Matthew Hale, of counsel for the defendant in error.

	The Inland & Seaboard	This cause was
	Coasting Co.,	submitted to the
121.	vs. Plff. in Error,	consideration of
	George W. Hall.	the Court on the record and

printed arguments by Mr. Nathaniel Wilson, of counsel for the plaintiff in error, and Mr. J. E. Nine and Mr. S. J. Thomas, of counsel

Robert H. Lawson,
Executor &c.,
vs. Appellant.
George K. C. Floyd.

This cause was argued by Mr. James A. Ferguson, of counsel for the appellant, and Mr. C. C. Watts, of counsel for the appellees.

Proclamation being made the Court is adjourned until Wednesday, January 4th 1888, at twelve o'clock.

Wednesday, January 4th, 1888.

Pursuant to adiournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray 2nd.
Samuel Blatchford

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Appointment of Marshal.

It is ordered by the Court that the following letters and order be entered upon the minutes.

Supreme Court of the United States.
Washington, Nov. 29, 1887.

My dear Sir:

As the literary and historical

labors upon which I am engaged as a co-worker will during the next four years require the whole of my time, I herewith tender you my resignation as Marshal of the Supreme Court of the United States, to take effect on the day of December next.

In severing my official relations with the Court I desire to convey to yourself and all its members my warm appreciation of their personal friendship and kindness during the whole of my fifteen years service.

Sincerely yours,
John T. Nicolay.

Supreme Court of the United States.
Washington, Dec. 5, 1887

My dear Mr. Nicolay.

I found no convenient opportunity of communicating to the other judges the contents of your letter of the 29th ultº, resigning the office of Marshal of the Supreme Court, until we met in conference last Saturday.

"Knowing as we do the great importance of the literary and historical work in which you are engaged and its constant demands on your time, we have not felt at liberty to withhold our acceptance of a resignation tendered on that account, but must ask you to allow us to fix the 31st of this month as the date of your retirement, rather than a day which is earlier.

"You will take with us when you leave us the best wishes of every one of the Judges, and we shall all remember with gratitude your faithful attention to the duties of your office and your many acts of personal kindness. Necessarily my intercourse with you has been closer than that of most of the Judges, and it has always been to me of the most agreeable kind. I have relied on you implicitly in all that pertained to the administration of your office, and have never found my confidence misplaced in any particular.

"Your accounts have all been scrupulously exact and in the highest degree satisfactory. I shall part from you

officially with sincere regret, but with the hope that our personal relations may continue to be in the future what they have always been in the past.

Very sincerely yours
M. R. Waite.

John G. Nicolay, Esq'r.

Orders.

It is ordered by the Court that John Montgomery Wright Esq. lately heretofore, appointed Marshal of this Court in place of John G. Nicolay, resigned.

Mr. Wright thereupon took the following oath, presented a Bond in the penal sum of twenty thousand dollars, as required by law, which was approved, and entered upon the duties of his office.

I, John Montgomery Wright, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Supreme Court of the United States and true returns make, and in all things

well and truly and without malice or partiality perform the duties of the office of Marshal of the Supreme Court of the United States during my continuance in said office. So help me God.

John Montgomery Wright.

Subscribed and sworn to before me this fourth day of January, A.D. 1888.

James H. McKenney, Clerk Supreme Court U.S.

Know all men by these presents that we, John Montgomery Wright, of Louisville, Kentucky, and Mildred Ewing Wardlaw and Calderon Wardlaw, of the City of Washington, District of Columbia, are held and firmly bound unto the United States of America in the penal sum of twenty thousand dollars, lawful money of the United States, to be paid to the said United States or their certain attorney; to which payment well and truly to be made we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents:

Sealed with our seals and dated this fourth day of January, 1888.

Whereas, the above bounden John Montgomery Wright hath been appointed Marshal of the Supreme Court of the United States;

Now, therefore, the condition of the above obligation is such that if the said John Montgomery Wright shall faithfully discharge the duties of his said office and shall well and faithfully keep, disburse, pay over, and account for, according to law, all moneys that may come into his hands as such Marshal as aforesaid, then this obligation to be void; otherwise to remain in full force and virtue in law.

John Montgomery Wright (Seal)
Mildred Ewing Carlisle (Seal)
Calderon Carlisle. (Seal)

Witnesses to all signatures.
Oscar Luckett
Fanny B. Southgate.

Approved the fourth day of January, A.D. 1888
M. R. Waite.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that B. B. Boone, Esquire, of Mobile, State of Alabama, Marcus Cole Lasky, Esquire, of Chicago, State of Illinois, J. Proctor Knott, Esquire, of Lebanon, State of Kentucky, and George A. Johnson, Esquire, of Santa Rosa, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Susan C. Knight (formerly Susan C. Marshall),
50. vs. Appellant,
James W. Paxton.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. George A. Saddock, of counsel for the appellant, and Mr. L. H. Boutell, of counsel for the appellees.

Howard C. Chapin
222. vs. Plff. in Error,
Josephine F. Streeter Executrix.

This cause was submitted to the

consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. L. O. Dortmus, of counsel for the plaintiff in error, and Mr. Wm. M. Yale, of counsel for the defendant in error.

The Iron Silver Mining Co., Plaintiff in Error, vs. Joseph Reynolds et al. This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. L. O. Dixon and Mr. F. W. Clancy, of counsel for the plaintiff in error and Mr. D. W. Kretzinger, Mr. J. M. Patterson, Mr. W. T. Thomas and Mr. C. S. Morrison, of counsel for the defendants in error.

No. 1061. The United States vs. Appellant, James M. J. Gleeson. This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard, and

and Mr. E. F. Lucas, of counsel for the appellant, and Mr. Robert O. Seymour of counsel on the motion.

The Aetna Life Insurance Co., of Hartford, Conn. vs. Appellant.
The Town of Middlebury.

The Aetna Life Insurance Co. of Hartford, Conn. vs. Appellant,
The Town of Belmont.

The Aetna Life Insurance Co., of Hartford, Conn., vs. Appellant,
The Town of Milford.

These cases were submitted to the consideration of the Court, pursuant to the 20th rules, on the record and printed arguments by Mr. Francis Fellowes, Mr. G. M. Sedgwick and Mr. C. G. Bailey, of counsel for the appellant, and Mr. Robert Doyle, of counsel for the appellees.

Alfred Marchand. vs. Pltff. in Error. Josephine Adele Livandais.

The motion to dismiss in this cause was submitted to

the consideration of the Court on printed arguments by the Hon. G. S. Cassels and the C. J. Gwatkin, in support of the demurrer, and the Hon. W. Nesbitt and the Hon. D. E. Thomas in opposition thereto.

189. c.l. Brown et al. Appts., vs. C. J. McConnell.
189. L.C. Brown et al. Appts., vs. William Sargent
188. c.l. Brown et al. Appts., vs. Sheldon Hunt

On motion of the Hon. Senator Sullivan, Q.C. counsel for the appellants, leave is given unto him to file appellants' factum in these causes subject to objection if any for the respondent.

Johnston, Plaintiff in Error,
182. vs. Orr in Error,
Hamilton C. Court.

The necessary rule or order, of counsel for the plaintiff in error, submitted to the consideration of the Court in order that this cause be further heard on the record and printed arguments in accordance with the stipulation contained in the record, which was opposed by the Hon. H. J. Hagar, of counsel for the defendant in error. Whereupon the

Court not being now fully advised in the premises concerning what order to render in the premises took time to consider.

The State of Indiana, Complainant, vs. The State of Kentucky. Defendant. Mr. J. Proctor Knott, of counsel for the defendant, by leave of the Court filed the answer of the defendant herein.

The State of Indiana, Complainant, vs. The State of Kentucky. Defendant. On motion of Mr. J. Proctor Knott, of counsel for the defendant, leave is hereby granted him to withdraw the answer of the defendant filed herein and the time for refiling same is extended until the 11th instant.

The United States, Appellant, vs. The San Jacinto Tin Co. et al. Appellees. No. 187. On motion of Mr. Solicitor General Jenks, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument at the foot of the call for the 16th instant.

Wednesday January 6th 1875 continued

11

William L. Powell
vs. Pltf. in Error.
The Commonwealth of
Pennsylvania.

The argument of this cause was commenced by Mr. D. J. Watson, of counsel for the plaintiff in error, continued by Mr. Wayne of the Supreme Court of Pennsylvania for the defendant in error, and concluded by Mr. Simon P. Gilbert, of counsel for the plaintiff in error.

303. Jay Walker Jr. et al.
vs. Plffs. in Error.
The Commonwealth of
Pennsylvania.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. J. Watson, of counsel for the plaintiffs in error, and Mr. Wayne of the Supreme Court of Pennsylvania, of counsel for the defendant in error.

Wm. L. Smith,
1000$ o.s. &c. in Error,
vs.
The State of Alabama.

This cause was argued by Mr. E. T. Russell, & counsel for the Plaintiff in error, and Mr. T. N. McClellan, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 5th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Stanbery it is ordered that Theodore Sheldon, Esquire, of Chicago, State of Illinois, and Edward W. Sheldon, Esquire, of New York City, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Stewart it is ordered that Creed Haymond, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

318. C. C. Marshall and Robert Shaw, Admrs. vs. The United States. Appellants vs. Appellees. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. R. B. Warden, of counsel for the appellants, and Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellees.

320. The District of Columbia, Appellant, vs. Augusta McBlair et al. This cause was submitted to the consideration of the Court, pursuant to the 20th rule,

Thursday, January 5th 1888, continued.

On the second and further arguments by Mr. W. C. Davis, of counsel for the appellant, and Mr. F. J. Harrington, of counsel for the appellees.

The United States,
158. vs. Appellant,
Frederick Fromentin. } This cause was submitted to the consideration of the Court further on the 20th inst. on the second and further arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. Edward Salomon, of counsel for the appellees.

The United States ex rel.
Wulzen & Engelbrecht
& Real Estate Co.,
241. vs. Writ of Error,
Thomas T. Bouvé,
Secretary of State. } This cause was argued by Mr. Edward F. Brown, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Henry, of counsel for the defendant in error.

Thursday, January 8th 1885, continued.

No. Eleven Court,
vs. Appellant,
Pensacola & Mobile
R.R. Co., et al.

The argument of this cause was commenced by Mr. E. C. Nash, of Counsel for the Appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 6th, 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Harrison L. Wade, Chief Justice
Samuel C. Pilcher
Stephen J. Field
Gerald F. Bradley, Associate
John M. Harlan, Justice
Stanley Matthews
Horace Gray, Jr.
Samuel Blatchford
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. W. Van Ness it is ordered that William G. Pippin, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was duly accordingly.

On motion first made to the Court in this

behalf by Mr. Henry Wise Garnett it is ordered that James M. Baldwin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joshua D. Ball it is ordered that Henry Wheeler, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that John H. Miller, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

868. Frank E. De Wolf et al., Appellants, vs. Florence W. Hayes. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and

printed arguments by Mr. Benjamin F. Thurston, of counsel for the appellants, and Mr. W. Hallett Phillips and Mr. Ben. Morgan, of counsel for the appellee.

The New Orleans Pacific Railway Company, Appellant, vs. The United States. 545. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John C. Blair, Mr. [illegible] and Mr. Wager Swayne, of counsel for the appellant, and Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellee.

Emma C. D. Nickerson, Appellant, vs. Azor N. Nickerson et al. 881. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. J. Johnson and Mr. W. W. Wilshire, of counsel for the appellant, and Mr. Enoch Totten, Mr. Henry

Miss Garnett and Mr. Conway Robinson Jr., of counsel for the appellees.

490. Louis Phillips et als., vs. Plffs. in Error, The Mound City Land and Water Association et als.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. George F. Edmunds and Mr. George H. Smith, of counsel for the plaintiffs in error, and Mr. C. J. Britton, Mr. A. B. Browne and Mr. Walter H. Smith, of counsel for the defendantes in error.

491. The Union Insurance Company of Philadelphia, vs. Plff. in Error, Patrick Smith.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Harvey D. Goulder, of counsel for the plaintiff in error, and Mr. J. E. Ingersoll, of counsel for the defendant in error.

	The North Pennsylvania R.R. Co.,	On motion of
33.	vs. Pff. in Error.	Mr. Wayne
	The Commercial National	MacVeagh, of
	Bank of Chicago.	counsel for the
		defendant in
		error, leave is

hereby granted the Clerk to issue the mandate in this cause.

	Spencer Trask,	The argument
90.	vs. Appellant,	of this cause
	The Jacksonville,	was contin-
	Pensacola and	ued by Mr.
	Mobile Railroad	Wayne MacVeagh,
	Co. et al.	of counsel for

the appellees, and concluded by Mr. S. P. Nash, of counsel for the appellant.

	Russell Sage,	The argument
126.	vs. Appellant,	of these cases
	The Memphis & Little Rock	was com-
	Railroad Co., (as reorganized).	menced by
	And	Mr. Wagers

	The Memphis & Little Rock Railroad Co., (as reorganized),	Swayne, of counsel for
124.	vs. Appellant,	Sage, and continued
	Russell Sage.	by Mr. E. M.

Rose, of counsel for Dow et al., Trustees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 9th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John C. H. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Wilbur F. Boyle, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Joshua D. Ball it is ordered that Richard Stone, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Z. George it is ordered that James T. Harrison, Esquire, of Columbus, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

109. Louis Dreyfoos, Appellant. vs. William Wiese. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

111. Emory E. Norton, Assignee in Bankruptcy of Gary Hood, vs. Appellant, Gary Hood, John Asberry and H. Gibbs Morgan & George Mather, Executors of Henry Trellsen, deceased. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

	Benjamin Dreyfus, Emanuel Goldstein, Jacob Frowenfeld and John J. Wegelin, copartners, doing business as B. Dreyfus & Co.,	Appeal from the Circuit Court of the United States for the District of California.
118.	vs. Appellants	
	Sophia Searle, Executrix of John Searle, deceased.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with a direction to dismiss the bill.

Per Mr. Justice Blatchford.

	Henry C. Roberts and Archibald S. Clarke,	In Error to the
20.	vs. Plffs. in Error,	Circuit Court
	Henry M. Benjamin.	of the United
		States for the
		Northern District of
		New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford.

Ex parte: In the matter of Andrew J. Sawyer, Lorenzo W. Billingsley, John Fraas, Joseph C. Briscoe, Fred. A. Hovey, William J. Cooper, Robert B. Graham, John M. Binks, James Dailey, Henry N. Dean, Gran Ensign and Lewis C. Pace, Petitioners.

On petition for a writ of habeas corpus.

10, Original.

(On consideration of the petition in this cause, of the return to the rule to show cause herein, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule be made absolute and the writ of habeas corpus is hereby granted.

per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Harlan.

	Ransom F. Humiston to the use of William P. Horton,	In Error to the Circuit Court
83.	vs. Plff. in Error,	of the United
	James P. Wood and Joseph Wood, copartners under the firm name of James P. Wood & Company.	States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Matthews.

Charles S. Hinchman, Plff. in Error,
vs.
Rufus P. Lincoln.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Matthews.

116. Cornelius Gumbel, vs. Plff. in Error, John R. G. Pitkin, United States Marshal, Forbes & Hiess, L. Bamberger & Company, B. Dreyfous & Company, D. W. Stadeker & Company et al. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions, upon the facts found in the Circuit Court, to award judgment in favor of the intervenor, Gumbel, in conformity with the opinion of this Court.

per Mr. Justice Matthews.

113.	Mary E. R. Boyd by her next friend James R. Boyd, vs. William G. Wyly, Charles R. Egelly, and Frederick W. Boyd, Executor of James Railey, deceased. Appellant,	Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

112.	The United States vs. Harrison Johnston. Plff. in Error,	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Theodore N. Vetterlein, Theodore J. Vetterlein and Bernhard J. Vetterlein,

104. vs. Appellants,

Demas Barnes, Assignee in Bankruptcy of Theodore N. Vetterlein and Bernhard J. Vetterlein.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof,

It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	Alfred Richards,	Appeal from the Su-
106.	vs. Appellant,	preme Court of the
	Brooke Mackall Jr.	District of Columbia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to dismiss the bill.

per Mr. Justice Harlan.

	Alfred B. Lauther,	Appeal from the
39.	vs. Appellant,	Circuit Court of
	Charles S. Hamilton and	the United States
	Timothy W. Goodrich.	for the Eastern
		District of Wis-
		consin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the appellant, and take such further proceedings as may be in conformity with the opinion of this Court.

Per Mr. Justice Bradley.

	James F. Whitney, Henry Buschmann and Charles S. Whitney,	In Error to the Circuit Court of the United States for the Southern District of New York.
108.	vs. Plffs. in Error,	
	William N. Robertson, Collector of the Port of New York.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	Hugh Kelly,	In Error to the Circuit Court of the United States for the Southern District of New York.
1012.	vs. Plff. in Error,	
	Edward L. Hedden, Collector of the Port of New York.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

1261. Charles R. Bissell, Pltf. in Error, vs. The Township of Spring Valley, in the County of Cherokee and State of Kansas. In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

Lewis N. Beeson, Nathaniel Bacon and Darwin N. Baker, as Trustees under the will of Brother M. Beeson, deceased,		In Error to the Supreme Court of the State of Iowa.
98.	vs.	Chps. in Error,
John Johns, Administrator of Henry Johns, deceased and Henry Ohrt.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

1041. The United States ex rel: James K. McLean, vs. Plff. in Error, William F. Vilas, Postmaster General. — In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

1301. Anthony J. Langdon and Michael J. Langdon, vs. Plffs. in Error, Willis M. Sherwood. — In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment, on the facts found by the Court, against the plaintiff for one hundred and fifty-six acres and forty hundredths, the lands described in the land office certificates, and in his favor for the remainder of the land.

per Mr. Justice Miller.

	Robert M. Lawson, Executor of Anthony Lawson, deceased,	Appeal from the District Court
122.	vs. Appellant,	of the United States for the District of
	George R. C. Floyd.	West Virginia.

This cause came on to be heard on the

transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to take an account on the principles established in the opinion of this Court and to render a decree accordingly.

per Mr. Justice Millers.

"The Dundee Mortgage and Trust Investment Company. ..... Pltf. in Error,
vs.
Ellis G. Hughes. Dft. in Error,

In Error to the Circuit Court of the United States for the District of Oregon.

"This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Oregon.

per Mr. Chief Justice Waite.

The Baltimore & Ohio Railroad Company,		In Error to the Circuit Court of
581.	vs. Plff. in Error,	the United States
John Burns and John C. Stokes.		for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	The Inland and Coastboard Coasting Company,	In Error to the Supreme Court of the District of Columbia.
121.	vs. Plff. in Error,	
	George W. Hall.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to consider the appeal from the order at Special Term denying the motion of the defendant for a new trial based on the ground that the verdict was against the weight of the evidence.

per Mr. Chief Justice Waite.

10½. The East Tennessee, Virginia & Georgia Railroad Company, vs. Pltff. in Error, The Southern Telegraph Company. ..... It having been suggested that there is no longer any real controversy between the parties to this suit about the matters therein originally involved and that the Western Union Telegraph Company is at this time practically both plaintiff and defendant, It is ordered that this writ of error be dismissed unless the plaintiff in error show cause to the contrary on or before the 17th day of February. The Clerk will serve a copy of this order at once on the counsel of record for the plaintiff in error through the mail.

Per Mr. Chief Justice Waite.

36½. Cyrus Woodman et al. vs. Pltfs. in Error, The Missionary Society of the Methodist Episcopal Church. ..... On consideration of the motion to set aside the order of dismissal entered

herein on June 8, 1887. pursuant to Rule 28. and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said order be amended by adding thereto these words: "without prejudice to the right of Albert M. Henry to proceed as he may be advised in the court below for the protection of his interest."

per Mr. Chief Justice Waite.

Horatio A. Whitbeck, Treasurer &c., Appellant, vs. The Mercantile National Bank. &c.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument at the foot of the call on the 13th day of February.

per Mr. Chief Justice Waite.

	The National Bank of Redemption,	On consideration of the motion to
1324.	vs. Pltf. in Error,	advance this cause,
	The City of Boston.	It is ordered by the Court that said

motion be, and the same is hereby, granted and the cause assigned for argument next after No. 990 on February 13th.

per Mr. Chief Justice Waite.

	The Western Union Telegraph Co.,	On consideration of the motion to
1325.	vs. Appellant,	advance this cause,
	The Attorney General of the Commonwealth of Massachusetts.	It is ordered by the Court that said motion be, and the same is hereby,

granted and the cause assigned for argument next after No. 1394 on February 13th.

per Mr. Chief Justice Waite.

	The State of North Carolina et al.	On consider. ation of the mo.
1034.	vs. Appellants	tion to advance
	Alfred M. Temple.	this cause,

It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument with or immediately after No. 24 as the parties may agree upon, when that case is reached in its order on the call of the docket.

per Mr. Chief Justice Waite.

982. John Glenn, Trustee vs. vs. Plff. in Error, Hamilton G. Fant. On consideration of the motion that this cause be submitted on the record and printed arguments in accordance with the stipulation contained in the record herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1077. Alfred Marchand vs. Plff. in Error, Josephine Adele Livandais. On consideration of the motion to dismiss in this cause, It is ordered by the Court that said motion be, and the same is

hereby, denied, but without prejudice.
per Mr. Chief Justice Waite.

1121. The City of Shreveport, Plff. in Error,
vs. John R. Holmes.
1122. The City of Shreveport, Plff. in Error,
vs. John B. Crooks.
1123. The City of Shreveport, Plff. in Error,
vs. E. H. Carter.

On consideration of the petitions for rehearing in these cases, It is now here ordered by the Court that said petitions be, and the same are hereby, denied.
per Mr. Chief Justice Waite.

The Chief Justice announced that the Court would adjourn on Monday, February 20th to Monday, March 19th.

491. The United States, Appellant, vs. Jung Ah Lung. This cause was submitted to the consideration of the Court on the record and printed arguments, pursuant to the

20th rule. By Mr. Attorney General Garland, of counsel for the appellant, and Mr. Thomas D. Riordan, of counsel for the appellee.

657. The United States, Appellant, vs. John Bond. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, of counsel for the appellant, and Mr. James E. Padgett, of counsel for the appellee.

750. John F. Hartranft, Collector &c., Plff. in Error, vs. Abram M. Langfeld et al. Mr. Attorney General Garland, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1210. The Southern Development Company of Nevada, vs. Frank Silva. Appellant

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. William M. Stewart, Mr. A. J. Britton and Mr. J. B. Browne, of counsel for the appellant, and Mr. James P. Langhorne and Mr. John N. Miller, of counsel for the appellee.

989. L. D. Brown et al., Appts., vs. E. J. McConnell.
987. L. D. Brown et al. Appts., vs. W. C. Nazzard.
668. L. D. Brown et al., Appts., vs. William Rank.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record in case No. 989 and printed arguments by Mr. A. N. Garland and Mr. W. W. Upton, in support of the same, and Mr. Leander Holmes, in opposition thereto.

1150. Hugh Mobram Brooks vs. Plff. in Error, The State of Missouri. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. G. Boone, in support of the same, and Mr. P. W. Fauntleroy, in opposition thereto.

C10. The State of Missouri ex rel: John R. Walker, vs. Plff. in Error, John Walker, State Auditor. Mr. B. G. Boone, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

785. Eushrod Robinson and Henry Clay Stewart, vs. Appellants William Wall. Appeal from the Supreme Court of the District of Columbia.

This cause being called to the attention of the Court by Mr. J. J. Johnson, of counsel for the appellants, and a stipulation to

dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

304. Isaac E. Baker et al., Appellants, vs. Thomas C. Power et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William N. Bliss, in support of the same, and Mr. James M. Davidson, in opposition thereto.

Ex parte: In the matter of Roger M. Sherman, Petitioner. Mr. Roger M. Sherman submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

	Edward Cameron Kirk, Charles H. Thomas and Augustus Thomas,	Appeal from the Circuit Court
138.	vs. Appellants,	of the United States for the
	The Elkins Manufacturing and Gas Company.	Eastern District of Pennsylvania.

This cause being called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a motion by the appellants to dismiss this cause having been filed, It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

	James P. Crawford,	On motion of Mr.
82.	vs. Appellant,	W. A. McKenney,
	Isaac W. Heysinger et al.	in behalf of coun-
		sel for the appellant,

Leave is hereby granted the Clerk to issue the mandate in this cause.

439. Peter Butler, Receiver &c., vs. Lewis Coleman, Calvin B. Prescott et al. — Appellant. — Mr. Joshua D. Ball, of counsel for the appellees suggested the death of Calvin B. Prescott, one of the appellees herein, and moved the Court to make Lucy E. Prescott, Executrix of Calvin B. Prescott, deceased, a party appellee. Whereupon, It is now here ordered by the Court that the said Lucy E. Prescott, Executrix of Calvin B. Prescott, deceased, be, and she is hereby, made a party appellee in this cause.

571. James Reid Stewart, vs. Branch T. Masterson. — Appellant. — The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. S. S. Hentle, in support of the same, and Mr. L. C. Lancaster, in opposition thereto.

	The Dale Tile Manufac- turing Company (Limited),	The motion to dismiss or af- firm in this
1232.	vs. Plff. in Error,	cause was
	Elizabeth A. L. Hyatt.	submitted to

the consideration of the Court on the record and printed arguments by Mr. George W. Van Slyck, in support of the same, and Mr. E. D. McCarthy, in opposition thereto.

	The State National Bank of Springfield,	This cause was submitted to the
1118.	vs. Plff. in Error,	consideration of
	E. L. Dodge.	the Court, pur- suant to the 20th

rule, on the record and printed arguments by Mr. N. S. Greene, of counsel for the plaint- iff in error, and Mr. George Hunt, of coun- sel for the defendant in error.

	Atterson W. Rucker,	This cause was
1306.	vs. Plff. in Error,	submitted to the
	Jerome B. Wheeler.	consideration of the Court, pursuant

to the 20th rule on the record and printed

arguments by Mr. Atterson W. Rucker, in propria persona, and Mr. T. M. Patterson and Mr. C. S. Thomas, of counsel for the defendant in error.

126. Russell Sage, vs. Appellant, The Memphis & Little Rock Railroad Co. (as reorganized) and The Memphis & Little Rock Railroad Co. (as reorganized) 127. vs. Appellant Russell Sage.

The argument of these cases was continued by Mr. U. M. Rose, of counsel for Dow et al. trustees, and concluded by Mr. Wager Swayne, of counsel for the Railroad Company.

125. The Memphis & Little Rock Railroad Company, (as reorganized), vs. Appellant, Robert T. Dow, Watson Matthews and Charles Moran, Trustees.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause being called to the attention of the Court by Mr. Wager Swayne, of counsel for the appellant, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

165. Robert K. Dow et al., Trustees, vs. Appellants, The Memphis & Little Rock Railroad Company, (as reorganized). This cause was argued by Mr. U. M. Rose, of counsel for the appellants, and Mr. Wager Swayne, of counsel for the appellees.

129. The Pacific Nat'l Bank of Boston et al., Plffs. in Error, vs. George Mixter.

130. The Pacific Nat'l Bank of Boston et al., Plffs. in Error, vs. N. M. Whitney.

139. Peter Butler, Receiver &c., Appt., vs. Lewis Coleman et al.

1140. The Pacific Nat'l Bank of Boston et al., Pl'ffs. in Error, vs. Daniel L. Demmon.

Ordered by the Court that one hour additional time be allowed counsel on each side in the argument of these cases.

129. The Pacific National Bank of Boston et al., Pl'ffs. in Error, vs. George Mixter.

130. The Pacific National Bank of Boston et al., Pl'ffs. in Error, vs. H. M. Whitney.

439. Peter Butler, Receiver &c., Appellant, vs. Lewis Coleman et al's.

1140. The Pacific National Bank of Boston et al., Pl'ffs. in Error, vs. Daniel L. Demmon.

The argument of these cases was commenced by Mr. A. A. Ranney, of counsel for the Plaintiffs in error and appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 10th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

129. The Pacific Natl. Bank of Boston et al., Plffs. in Error, vs. George Mixter.

130. The Pacific Natl. Bank of Boston et al., Plffs. in Error, vs. H. M. Whitney.

439. Peter Butler, Receiver &c., Apft., vs. Lewis Coleman et al.

440. The Pacific National Bank of Boston et al, Plffs. in Error, vs. Daniel L. Demmon.

The argument of these cases was continued by Mr. C. C. Ranney, of counsel for the plaintiffs in error and appellant, and Mr. Joshua D. Ball, Mr. Alfred D. Foster and Mr. Richard Stone, of counsel for the defendants in error and appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 11th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. C. Catchings it is ordered that Wade H. Young, Esquire, of Vicksburg, State of Mississippi, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The State of Indiana, Complainant, vs. The State of Kentucky. No. 7, Original. Mr. J. Proctor Knott, of counsel for the defendant, asked and obtained leave of the Court to file a stipulation of counsel as to the manner of procedure in this cause.

The State of Indiana, Complainant, vs. The State of Kentucky. No. 7, Original. In pursuance of the stipulation of counsel filed herein by leave of the Court, It is now here ordered by the Court

1. That the answer of the State of Kentucky and the answer of the State of Indiana to any cross-bill filed herein, may be filed without the formality of verification by affidavit or certificate and seal of the State.

2. That, upon the cause being put at issue, depositions may be taken by either party before an officer authorized to take depositions by the laws of the States of Indiana or Kentucky, upon due notice to the adverse party, and if taken before an officer having

an official seal, no other authentication shall be required.

3. That duly authenticated copies of any records, maps, or official documents may be filed by either party with the Clerk as evidence in the cause, upon furnishing to the adverse party copies thereof, subject to exception to their competency as evidences.

4. That the testimony in the cause shall be closed on or before the first Monday in October unless for cause shown an extension of time shall be given.

7. Original. The State of Indiana, Complainant, vs. The State of Kentucky. Mr. J. Proctor Knott, of counsel for the defendant by leave of the Court filed the answer and cross-bill of the State of Kentucky herein.

129. The Pacific Natl Bank of Boston et als., Plffs. in Error, vs. George Mixter.

130. The Pacific Natl Bank of Boston et als., Plffs. in Error, vs. N. M. Whitney.

439. Peter Butler, Receiver &c. Appt., vs. Lewis Coleman et als

440. The Pacific National Bank of Boston et als., Plffs. in Error, vs. Daniel L. Denmon.

The argument of these cases was continued by Mr. Richard Stone and Mr. Henry Wheeler, of counsel for the defendants in error and appellees, and concluded by Mr. A.A. Ranney, of counsel for the plaintiffs in error and appellant.

131. George Amory Sargent, Sullivan Amory Sargent, Ellen Bacon Sargent and Mary Turner Burgess, vs. Appellants, The Massachusetts Hospital Life Insurance Company and Horace Binney Sargent, Executor of Lucius Manlius Sargent, deceased. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause being called for hearing in its regular order, and a stipulation to affirm the decree of the Circuit Court in this cause having been filed. It is there-

upon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed without costs.

Per Mr. Chief Justice Waite.

Theodore P. Bucher, Pltff. in Error,
132. vs.
The Cheshire Railroad Company et al.

This cause was argued by Mr. A. A. Ranney, of counsel for the plaintiff in error, and Mr. Charles A. Welch, of counsel for the defendants in error.

660. The People of the State of California, Pltffs. in Error, vs. The Central Pacific R.R. Co.

661. The People of the State of California, Pltffs. in Error, vs. The Southern Pacific R.R. Co.

662. The People of the State of California, Pltffs. in Error, vs. The Northern Railway Co.

663. The People of the State of California, Pltffs. in Error, vs. The California Pacific R.R. Co.

664. The People of the State of California, Pltffs. in Error, vs. The Central Pacific R.R. Co.

1157. The People of the State of California, Plff. in Error, vs. The Central Pacific R.R. Co.

On motion of Mr. W. M. Evarts, of counsel for the defendants in error, It is ordered by the Court that the time for the argument of these cases be extended until the adjournment of the Court on Friday next and that three counsel be allowed to argue the cases for the defendants in error.

660. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

661. The People of the State of California, Plffs. in Error, vs. The Southern Pacific R.R. Co.

662. The People of the State of California, Plffs. in Error, vs. The Northern Railway Co.

663. The People of the State of California, Plffs. in Error, vs. The California Pacific R.R. Co.

664. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

1157. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

The argument of these cases was commenced by Mr. J. M. Wilson, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 19th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that W. P. Potter, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is

ordered that Lenox W. Simpson, Esquire, of Pittsburgh, State of Pennsylvania, and Lester H. Salisbury, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

660. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

661. The People of the State of California, Plffs. in Error, vs. The Southern Pacific R.R. Co.

662. The People of the State of California, Plffs. in Error, vs. The Northern Railway Co.

663. The People of the State of California, Plffs. in Error, vs. The California Pacific R.R. Co.

664. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

1157. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

The argument of these cases was continued by Mr. J. H. Wilson, of counsel for the plaintiffs in error, and Mr. George F. Edmunds, Mr. William M. Evarts and Mr. Forrest Thyng, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until

Friday, January 13th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Edward Adams Simons, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Louis Helbing, ... Mr. E. B. Stonehill,
1333. vs. Plff. in Error, of counsel for the de-
The People of the State fendants in error,
of California. ..... having filed in open
Court a certified
copy of the transcript of the record in this cause, moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of California be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1333.	Louis Kelbing. vs. The People of the State of California.	Pff. in Error, On motion of Mr. E. B. Stonehill, of counsel for the defendant in error,

leave is hereby granted the Clerk to issue the mandate in this cause.

660. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

661. The People of the State of California, Plffs. in Error, vs. The Southern Pacific R.R. Co.

662. The People of the State of California, Plffs. in Error, vs. The Northern Railway Co.

663. The People of the State of California, Plffs. in Error, vs. The California Pacific R.R. Co.

664. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

1157. The People of the State of California, Plffs. in Error, vs. The Central Pacific R.R. Co.

The argument of these cases was continued by Mr. Creed Haymond, of counsel for the defendants in error, and concluded by Mr. George A. Johnson, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until

Monday, January 16th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. E. Davis it is ordered that R. N. Steele, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New Orleans Pacific
Railway Company, Appellant. } Appeal from the
575. vs. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause &c, and the same is hereby, affirmed.

Per Mr. Justice Blatchford.

The United States Appellant } Appeal from the
1064. vs. Court of Claims.
James M. J. Gleeson.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause &c, and the same is hereby, reversed; and

that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein according to law.

per Mr. Justice Gray.

117. R. S. Beard, Plff. in Error, vs. School District No. 2 in the County of Lake and State of Colorado. — In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein.

per Mr. Justice Matthews.

	The Union Railroad Company of Baltimore,	Appeal from the
68.	vs. Appellant,	Circuit Court
	James J. Dull, Jacob	of the United
	C. Bamberger, John Elli-	States for the
	cott, Samuel M. Shoemaker	District of
	and Benjamin F. Newcomer,	Maryland.
	Administrators c.t.a. of	
	Samuel M. Shoemaker,	
	deceased, et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	Isaac S. Baker et al.,	On consideration
307.	vs. Appellants	of the motion to
	Thomas C. Power et al.	dismiss in this

cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

John F. Hartranft, Collector &c., vs. Plff. in Error, Abram H. Langfeld et al. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the 13th day of February next after the cases heretofore assigned for that day.

~50.

per Mr. Chief Justice Waite.

The State of Missouri ex rel: John R. Walker, vs. Plff. in Error, John Walker, State Auditor. — On consideration of the motion to advance this cause, It is now here ordered by the Court that

910.

said motion be, and the same is hereby, granted and the cause assigned for argument on February 13th. next after No. 750.

per Mr. Chief Justice Waite.

356. The Union Mutual Life Insurance Co. of Maine, vs. Plff. in Error, Electa L. Waters.

Mr. J. O. Wimship, of counsel for the plaintiff in error. Submitted to the consideration of the Court a motion to reverse the judgment herein and to remand the cause as per stipulation of counsel.

126. Russell Sage, Appt., vs. The Memphis & Little Rock R.R. Co. (as reorganized).

127. The Memphis & Little Rock R.R. Co. vs., Appt., vs. Russell Sage.

On motion of Mr. U. M. Rose leave is hereby granted him to file a supplemental brief in these cases.

The United States, On motion of Mr.
180. vs. Appellant. U. M. Rose, of counsel for the appellees,
Charles W. Beebe et als. It is ordered by
the Court that a writ of certiorari be, and
the same is hereby, awarded as prayed.

Anna M. Carpenter, The motion to dis-
1267. vs. Pff. in Error, miss or affirm
Maria E. Strange et al. in this cause
was submitted
to the consideration of the Court on the re-
cord and printed arguments by Mr. W. Hal-
lett Phillips, in support of the same, and
Mr. Francis Fellowes and Mr. Henry Wise
Garnett, in opposition thereto.

Benjamin F. Felix, The motion to dis-
1255. vs. Pff. in Error, miss in this cause
William Scharnweber. was submitted to
the consideration of
the Court on the record and printed argu-
ments by Mr. Henry Decker, in support of
the same, and Mr. B. G. Cook, in opposition
thereto.

1197.	The United States vs. Douglas Smith.	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff, and Mr. Elihu Root, of counsel for the defendant.
1266.	The United States vs. Sigismund Kees, alias Samuel Hayes.	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff, and submitted on a printed argument by Mr. George W. Miller, of counsel for the defendant.
1318.	James C. Callan, vs. A. A. Wilson, Marshal.	This cause was argued by Mr. J. M. Ralston, of counsel for the appellant, and Mr. Assistant Attorney General Maury, of counsel for the appellee.
	Ex parte: In the matter of Henry C. Craft et al., Petitioners.	Mr. R. M. Steele, of counsel for petitioners, moved the Court for leave to

file a petition for a writ of mandamus to the Supreme Court of the District of Columbia to compel the allowance of an appeal in accordance with the prayer of the petitioners. Whereupon, the Chief Justice announced that an application had been made to him for the allowance of an appeal in the cause, which application he now refers to the Court for its consideration and directed that counsel for the moving parties file a brief in behalf of their application.

70. William H. Tompkins, vs. Appellant, The Little Rock & Ft. Smith R.R. Co. et al.
and
71. William S. Williams, vs. Appellant, The Little Rock, Mississippi River & Texas Railway et al.

On motion of Mr. A. H. Garland, of counsel for the appellants, It is ordered by the Court that counsel on each side in these cases be allowed four hours additional time for the argument of these cases.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 17th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John M. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

	William H. Tomkins,	The argument of these cases was
70.	vs. Appellant,	commenced by Mr. John R.
	The Little Rock & Ft Smith	Dos Passos, of counsel for
	Railroad Co. et al.	the appellants, and con-
	and	
	William S. Williams	tinued by Mr. C. W. Hunting-
71.	vs. Appellant,	ton, of counsel for the ap-
	The Little Rock, Mississippi	pellees.
	River & Texas Railway et al.	

Proclamation being made the Court is adjourned un-

Wednesday, January 18th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford 2nd
Lucius L. C. Lamar

John C. H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Lucius L. C. Lamar appeared and produced the following Letters Patent and oath of office, which were read in open Court and ordered to be recorded upon the minutes, in the following words, viz:

Grover Cleveland,

President of the United States of America,

To all who shall see these Presents, Greeting:
Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Lucius Q. C. Lamar, of Mississippi, I have nominated, and by and with the advice and consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States; and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining unto Him, the said Lucius Q. C. Lamar, during his good behaviour.

In testimony whereof I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

(Seal) Given under my Hand at the City of Washington the sixteenth day of January, in the year of our Lord one thousand eight hundred and eighty-eight,

and of the Independence of the
United States of America the
one hundred and twelfth.
Grover Cleveland.

By the President:
T. F. Bayard
Secretary of State.

I, Lucius Q. C. Lamar, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God.

L. Q. C. Lamar.

Subscribed and sworn to
before me this eighteenth
day of January, A. D. 1888.
M. R. Waite,
Chief Justice of the United States.

I, Lucius Q. C. Lamar, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding, agreeably to the constitution and laws of the United States: So help me God.

L. Q. C. Lamar.

Subscribed and sworn to
before me this eighteenth day
of January, A. D. 1888.

James H. McKenney,
Clerk Supreme Court U.S.

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that S. P. Wolverton, Esquire, of Sunbury, State of Penn. sylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr Attorney General Garland it is ordered that William L. Calkins, Esquire, of Galesburg, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Z. B. Vance it is ordered that R. H. Battle, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The British Steamship "Suffolk", J. P. Hooper, J. S. Williams and F. Murrell, Claimants, and G. A. Nor. for Stewart and Frank Frick, Stipulators		Appeal from the Circuit Court of the United States for the District of Maryland.
1051.	vs.	Appellants.
Mayer Goldsmith.		

This cause being called to the attention of the Court by Mr. H. F. Morris, on behalf of counsel, and a stipulation to dismiss this cause having been filed, It is,

thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

1318. James C. Callan, Appellant, vs. A. A. Wilson, Marshal — On motion of Mr. Assistant Attorney General Maury, of counsel for the appellee, leave is hereby granted him to file a supplemental brief in this cause.

70. William H. Tompkins, Appellant, vs. The Little Rock & Ft. Smith Railroad Co. et al. and William S. Williams, Appellant, vs. The Little Rock, Mississippi River & Texas Railway et al. — On motion of Mr. John F. Dillon, of counsel for the appellees, leave is hereby granted him to file a supplemental brief in these cases; and on motion of Mr. John R. Dos Passos, of counsel for the appellants, leave is hereby granted him

70. William H. Tompkins, Appellant, vs. The Little Rock & Ft. Smith Railroad Co. et al.

71. William S. Williams, Appellant, vs. The Little Rock, Mississippi River & Texas Railway et al.

The argument of these cases was continued by Mr. C. W. Huntington and Mr. John F. Dillon, of counsel for the appellees, and concluded by Mr. John McClure, of counsel for the appellants.

989. L. D. Brown et al., Appellants, vs. S. J. McConnell.

987. L. D. Brown et al., Appellants, vs. William C. Hazzard.

668. L. D. Brown et al., Appellants, vs. William Rant.

On motion of Mr. Leander Holmes, of counsel for the appellants, leave is hereby granted him to file a supplemental brief in these cases.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 19th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray and
Samuel Blatchford

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Eli Saulsbury, it is ordered that George U. Massey, Esquire, of Dover, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

887. The United States vs. Appellant The San Jacinto Tin Co. et al.

On motion of Mr. Solicitor General it is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on the 23d instant at the head of the call.

1335. John S. Quarles, William Woodfolk and W. N. Williams, Receiver, vs. Appellants W. N. Simrall and wife Sarah J. Simrall, Henry R. Slack and wife Louisiana J. Slack, Jo. B. Woolfolk, a lunatic, suing by Henry R. Slack, next friend, and Henry R. Slack, Executor of Austin Woolfolk Junior.

Mr. William L. McKinney, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Middle District of Tennessee.

W. H. Simrall et al.

vs. No. 2705. Equity.

John S. Quarles et al.

I, N. M. Doak, Clerk of the Circuit Court of the United States for the Middle District of Tennessee, do hereby certify that in a certain cause pending in said Court, wherein W. H. Simrall and wife, Sarah J. Simrall, Henry R. Slack and wife, Louisiana T. Slack, Jo. B. Woolfolk, a lunatic, suing by Henry R. Slack, next friend, and Henry R. Slack, Executor of Austin Woolfolk Jr., deceased, were complainants, and John S. Quarles, William Woodfolk and W. H. Williams, Receiver, were defendants, a final decree was rendered by said Circuit Court on the 26th day of April, 1887, in favor of said complainants and against said defendants; and that on the said 26th day of April, 1887, said defendants prayed an appeal to the Supreme Court of the United States, which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said

Circuit Court, at Nashville, Tennessee, this 12th day of January, A.D. 1888.

(Seal) N. M. Doak.
U.S. Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Middle District of Tennessee, &c, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

133. Thomas L. Porter et al's., vs. Plffs. in Error, Alanson W. Beard, Collector &c.

This cause was argued by Mr. Charles Levi Woodbury, of counsel for the

Plaintiffs in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

	Hanson W. Beard, Collector &c.,	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error,
134.	vs. Pff. in Error,	
	Thomas C. Porter et al.	

and Mr. Charles Levi Woodbury, of counsel for the defendants in error.

	Roland Worthington, Collector &c.,	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. Charles Levi Wood-
135.	vs. Pff. in Error,	
	Jere Abbott et al.	

bury, of counsel for the defendants in error.

	Orestes Cleveland, The Joseph Dixon Crucible Company and Edward F. C. Young, Receiver of the Joseph Dixon Crucible Company,	Appeal from the Circuit Court of the United States for the District of New Jersey.
136.	vs. Appellants	
	Rhodes Lockwood.	

This cause being called for hearing in its regular order and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

137. Edward B. Thornton, vs. Plff. in Error, Francis Schreiber Sr., et al.

The argument of this cause was commenced by Mr. Frank P. Prichard, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 20th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices.
Stanley Matthews
Horace Gray 2nd
Samuel Blatchford

John C. H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

137. Edward B. Thornton, vs. Plff. in Error, Francis Schreiber Sr. et al. — The argument of this cause was continued by Mr. Frank P. Prichard, of counsel for the plaintiff in error, and Mr. A. Sydney Biddle, of counsel for the defendants in error, and concluded by Mr. Frank P. Prichard, of counsel for the plaintiff in error.

139. Ermance de St. Romes, Appellant, vs. The Levee Steam Cotton Press Co. This cause was argued by Mr. Charles Louque, of counsel for the appellant, and Mr. William A. Maury, of counsel for the appellee.

140. Lambert A. Hopkins et al., Plffs. in Error, vs. William C. Orr et al. The argument of this cause was commenced by Mr. O. D. Barrett, of counsel for the plaintiffs in error, and continued by Mr. Henry Wise Garnett, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 23d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Albert P. Gould, and Joseph E. Moore, Esquires, of Thomaston, State of Maine, Edgar C. Blum, Esquire, of Chicago, State of Illinois, and Anthony C. Daly, Esquire, of Marshalltown, State of Iowa, were admitted to practice as attorneys and

Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Voorhees it is ordered that William Wallace Jr., Esquire, of Helena, Territory of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Earle it is ordered that James B. McCrellis, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jeff. Chandler it is ordered that George B. Burnett, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

658. The United States, Appellant, vs. Frederick Freriehs. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

1118. The State National Bank of Springfield, Illinois, Plff. in Error, vs. John L. Dodge. In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a judgment in favor of the defendant.

per Mr. Justice Blatchford.

119. Elizabeth Matthews, Executrix of John Matthews, deceased, vs. Appellant, The Iron Clad Manufacturing Company. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

	Pilar Garcia de Sabariego and Manuel Sabariego, her husband,	In Error to the Circuit Court of the United States for the Western District of Texas.
67.	vs. Plffs. in Error,	
	Mary A. Maverick, Albert Maverick, George M. Maverick, Samuel Maverick et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

	The District of Columbia,	Appeal from the Supreme Court of the District of Columbia.
1329.	vs. Appellant,	
	Augusta McBlair et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to ascertain the amount still due from McClair on his notes given on account of his purchase, after crediting thereon the amount realized by him from the sale of the market stock bonds; and on payment of the amount thereof by the appellant to decree a conveyance of the title of the parties to this cause by the trustee to the District of Columbia; and in default of such payment, within a reasonable time to be fixed therefor, to direct a resale of the said premises for the satisfaction thereof.

Per Mr. Justice Matthews.

Edward C. Marshall
and Robert Chapin, Ad-
ministrators of Elisha
G. Marshall, deceased,
318. vs. Appellants
The United States.

Appeal from the
Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Catherine Shields et al.,
61. vs. Plffs. in Error,
Arthur Shiff.

In Error to the
Supreme Court
of the State of
Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration

whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

for Mr. Justice Bradley.

960. The Iron Silver Mining Company, Plff. in Error, vs. Joseph Reynolds and J. D. Morrissey. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

	The Florence Mining Company,	Appeal from the
92.	vs. Appellant	Circuit Court of
	Fayette Brown, Receiver	the United States
	of Brown, Bonnell &	for the Northern
	Company.	District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	Howard C. Chapin,	In Error to the
222.	vs. Pltff. in Error,	Circuit Court of
	Josephine F. Streeter,	the United States
	Executrix of James	for the District of
	Streeter, deceased.	Colorado.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel.

On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Miller.

The United States, Appellant
vs. Appeal from the
1070. David Mouat. Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsels.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said

Court of Claims with directions to dismiss the petition.

per Mr. Justice Miller.

The United States, Appellant vs. George E. Hendee. Appeal from Court of Claims.

1071.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Miller.

The United States, Appellant, vs. John Bond. Appeal from the Court of Claims.

657.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Miller.

Albert G. Whitcomb, Plff. in Error,
vs.
Oliver P. Childers, Lucretia Gungher, Sallie E. Johnston, and H. Will Johnston, her husband.

In Error to the Supreme Court of the State of Missouri.

89.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Hugh Moliam Brooks, alias W. H. Maxwell, alias Walter H. Lennox Maxwell, M. D., alias Theodore Cecil D'Auguier,
1150 vs. Plff. in Error,
The State of Missouri.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Ex parte: In the matter of Roger M. Sherman
Petitioners.

On consideration of the motion for leave to file the petition for a writ of mandamus, It is now here ordered by the Court that said motion be,

and the same is hereby, denied.

per Mr. Chief Justice Waite.

Ex parte: In the matter of Henry C. Craft et al., Petitioners. — On consideration of the motion for the allowance of an appeal from a decree of the Supreme Court of the District of Columbia, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1267. Anna M. Carpenter, vs. Plff. in Error, Maria E. Strange et al. — Ordered by the Court that the motion to dismiss in this cause be, and the same is hereby, continued for hearing with the case on its merits.

per Mr. Chief Justice Waite.

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The Union Mutual Life Insurance Company, of Maine,		In Error to the Circuit Court of the United States
356.	vs. Def. in Error,	for the Northern
Electa L. Waters.		District of Ohio.

This cause having been submitted to the consideration of the Court upon the transcript of the record and a stipulation to reverse the judgment of the said Circuit Court, which stipulation is in the following words, to wit:

"The controversy between the parties hereto having been amicably adjusted, it is now stipulated and agreed between us, that as to the proceedings now pending in the Supreme Court of the United States, docketed as case No. 356, wherein the Union Mutual Life Insurance Co. of Maine is plaintiff in error, and Electa L. Waters is defendant in error, an entry shall be made by said Court, as upon the trial thereof, that the judgment of the Circuit Court of the United States for the Northern District of Ohio, Eastern Division, shall be reversed and the said cause remanded to the Circuit Court

"and a judgment be entered against said
"defendant for costs herein, and that said
"mandate shall be issued at once."

On consideration whereof, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; costs in this Court to be paid by the plaintiff in error, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in accordance with the foregoing stipulation.

Per Mr. Chief Justice Waite.

Order.

There having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be

entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.

For the Second Circuit, Samuel Blatchford, Associate Justice.

For the Third Circuit, Joseph P. Bradley, Associate Justice.

For the Fourth Circuit, Morrison R. Waite, Chief Justice.

For the Fifth Circuit, Lucius Q. C. Lamar, Associate Justice.

For the Sixth Circuit, Stanley Matthews, Associate Justice.

For the Seventh Circuit, John M. Harlan, Associate Justice.

For the Eighth Circuit, Samuel F. Miller, Associate Justice.

For the Ninth Circuit, Stephen J. Field, Associate Justice.

1054. Abraham Lloyd, Plff. in Error, vs. John McWilliams, Collector of Customs.

Mr. Solicitor General Jenks, of counsel for the defendant in error, submitted to the consideration

of the Court a motion to advance this cause.

887. The United States, vs. The San Jacinto Tin Co. et al. Appellant, On motion of Mr. Solicitor General Jenks, It is ordered by the Court that this cause be, and the same is hereby, placed at the foot of the call for today.

148. Emma J. Blacklock et al., vs. Jacob Small et al. Appellants, On motion of Mr. W. Hallett Phillips, in behalf of counsel, Ordered by the Court that this cause be passed when reached on account of sickness of counsel.

413. Lelia Bryant et al., vs. Ezra White. Appellants, Mr. Robert J. Linn, of counsel for the appellee, suggested the death of Ezra White, the appellee herein, and moved the Court to make Charles E. White, Alfred Youngs,

& Guy R. Pelton, Executors of said Ezra White, the parties appellees in this cause. Whereupon, it is ordered by the Court that the said Charles E. White, Alfred Youngs & Guy R. Pelton, Executors of Ezra White, deceased, be, and they are hereby, made the parties appellees in this cause.

Lambert A. Hopkins et als., vs. Plffs. in Error, William G. Orr et al. — On motion of Mr. O. D. Barrett, of counsel for the plaintiffs in error,

140.

leave is granted him to file a supplemental brief in this cause.

Lambert A. Hopkins et al., vs. Plffs. in Error, William G. Orr et al. — The argument of this cause was continued by Mr. Henry Wise Garnett, of counsel for the defendants in error, and concluded by Mr. John H. Knaebel, of counsel for the plaintiffs in error.

140.

141. The District of Columbia, Appellant, vs. Hugh L. Gallaher et al. This cause was argued by Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. Th. Hughes and Mr. Woodbury Blair, of counsel for the appellees.

142. Joseph C. Spencer and Ralph C. Webster, Appellants vs. Samuel McMaster. Appeal from the Supreme Court of the Territory of Wyoming.

This cause being called to the attention of the Court by Mr. Walter H. Smith, of counsel for the appellees, and he having moved the Court to dismiss this appeal, it is thereupon, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

113.	Ira J. Coleman, vs. Pltf. in Error, Elisha A. Packer.	The argument of this cause was commenced by Mr. S. P. Wolverton, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 24th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that Alvin P. Hovey, Esquire, of Mount Vernon, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday. January 24th 1888, continued.

1113. Ira A. Clement, vs. Def. in Error, Elisha A. Packer.

The argument of this cause was continued by Mr. S. P. Wolverton, of counsel for the plaintiff in error, and Mr. James Ryan and Mr. John W. Ryan, of counsel for the defendant in error, and concluded by Mr. Franklin B. Gowen, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday. January 25th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John H. Wright, Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Mr. M. W. Fuller it is ordered that Thomas M. Hoyne, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Stewart it is ordered that William W. Foster, Esquire, of Santa Rosa, and Charles S. Swift, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1444. The Pittsburg Cincinnati & St. Louis Railway Company, Appellant, vs. The Keokuk & Hamilton Bridge Company

1498. The Pennsylvania Railroad Co., Appellant, vs. The Keokuk & Hamilton Bridge Company.

These cases were argued by Mr. George Hoadly, of counsel for the appellants; and Mr. Lyman Trumbull and Mr. Melville W. Fuller, of counsel for the appellee.

Mr. Justice Matthews did not sit during the argument of these cases.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 26th, 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. Goudy it is ordered that John M. Ragan, Esquire, of Hastings, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The United States exrel: Luizarda Angarica de la Rua, Executrix vs.	Mr. Edward T.
1241.	vs. Plff. in Error,	Jones, of counsel
	Thomas F. Bayard,	for the plaintiff
	Secretary of State.	in error, by
		leave of the Court
		filed a stipula-
		tion amending

the record in this cause.

	Timothy Case, Receiver vs.,	Mr. Walter C.
1447.	vs. Appellant	Larned, of coun-
	David M. Kelly et al.	sel for the ap-
		pellant, sug-

gested the death of Henry Fitchum, one of the appellees in this cause.

	Timothy Case, Receiver vs.,	This cause was
1447.	vs. Appellant,	argued by Mr.
	David M. Kelly et al.	Walter C. Larned
		of counsel for

the appellant, and Mr. George H. Noyes, of counsel for the appellees.

148. Emma J. Blacklock et al., vs. Appellants Jacob Small et al. — Ordered by the Court that this cause be, and the same is hereby, passed.

149. Jacob O. Joyce, vs. Appellant The Chilicothe Foundry and Machine Works Co., et al. — This cause was argued by Mr. E. E. Wood, of counsel for the appellant. No counsel appeared for the appellees.

587. The United States vs. Appellant, The San Jacinto Tin Co. et al. — On motion of Mr. Solicitor General Jenks, Ordered by the Court that counsel on each side be allowed four hours for the argument of this cause.

Thursday, January 26th 1888, continued.

887. The United States, vs. Appellant, The San Gavinto Tin Co., et al. The argument of this cause was commenced by Mr. G. Wiley Wells, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Friday. January 27th, 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

887. The United States vs. Appellant; The San Jacinto Tin Co., et al's. The argument of this cause was continued by Mr. E. Wiley Wells, of counsel for the appellant, and Mr. William M. Stewart, of counsel for the appellees.

Proclamation being made the Court is adjourned

Monday, January 30th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Henry L. Williams, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Ira M. Myers, Esquire, of Belmont, and William M. Lyddy Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Union Insurance Company of the City of Philadelphia, vs. Plff. in Error, Patrick Smith.	In Error to the Circuit Court of the United States for the Northern District of Ohio.

787.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the

same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Blatchford

Thomas C. Porter, W. H. Cades and S. Harris Austin, late copartners doing business under the firm name of Cushing, Porter & Cades.		In Error to the Circuit Court of the United States for the District of Massachusetts.
133.	vs. Plffs. in Error,	
Hanson W. Beard, Collector of Customs.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

	Hanson W. Beard,	In Error to
	Collector of Customs,	the Circuit
134.	vs. Cliff. in Error,	Court of the
	Thomas C. Porter, W. H. Cades	United States
	and S. H. Austin, late copartners	for the Dis-
	doing business under the firm	trict of Mas-
	name of Cushing, Porter &	sachusetts.
	Cades.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Blatchford.

	Roland Washington, Collector of Customs,	In Error to the Circuit Court
135.	vs. Pltff. in Error,	of the United
	Jere. Abbott and Austin A.	States for the
	Wheelock, copartners as	District of
	Jere. Abbott & Co.	Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Blatchford.

	Joseph Q. Smith	In Error to the Su-
1009.	vs. Pltff. in Error,	preme Court of the
	The State of Alabama.	State of Alabama.

This cause came on to be heard on the

transcript of the record from the Supreme Court of Alabama and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

Dissenting:
Mr. Justice Bradley.

85. The Western Union Telegraph Company, vs. Plff. in Error, George F. Hall. In Error to the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the

same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a judgment for the plaintiff for the cost of transmitting the delayed message.

per Mr. Justice Matthews.

Minnie Brazee, Devisee and Executrix of John W. Brazee, deceased, Appellant vs. Nicholas Schofield and Mary Schofield. Appeal from the Supreme Court of the Territory of Washington.

114.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

1266 The United States vs. Plaintiff, Sigismund Hess, alias Samuel Hayes. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the three questions certified must be answered in the negative.

Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Field.

	The King Iron Bridge and Manufacturing Company,	In Error to the Circuit Court of the United States for the District of Nebraska.
1154.	vs. Plff. in Error,	
	The County of Otoe, State of Nebraska.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Chief Justice Waite.

786. L. O. Brown et al., Appellants, vs. E. J. McConnell.
787. L. O. Brown et al., Appellants, vs. W. C. Hazzard.
688. L. O. Brown et al., Appellants, vs. William Grant.

On consideration of the motions to dismiss or affirm in these cases and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that these appeals be dismissed unless the appellants shall on or before the 19th day of March next file with the Clerk of this Court bonds in the penal sum of five hundred dollars each, conditioned according to law, for the purposes of each appeal, with sureties to be approved by the Justice of this Court assigned to the Ninth Circuit.

Per Mr. Chief Justice Waite.

571. James Reid Stewart, Appellant, vs. Branch J. Masterson.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now

Here ordered by the Court that this appeal be dismissed unless the appellant shall on or before the 19th day of March next file with the Clerk of this Court a bond in the penal sum of five hundred dollars, conditioned according to law, for the purposes of the appeal, with sureties to be approved by the Justice of this Court assigned to the Fifth Circuit.

per Mr. Chief Justice Waite.

Abraham Lloyd,
1054. vs. Pltff. in Error,
John McWilliams,
Collector of Customs.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Laura E. French,
1108 vs. Pltff. in Error,
Moses Hopkins et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William H. Stewart, in support of the same,

and Mr. J. W. Douglass, in opposition thereto.

The United States, vs. Appellant, James M. T. Gleeson. — On motion of R. G. Schenck, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

1064.

The United States, vs. Appellant, Mathilde de Morant et als. — Mr. R. B. Lines, of counsel for the appellees, submitted to the consideration of the Court a motion to reform the decree entered by this Court in this cause.

36.

E. A. Marsh et al., vs. Plf. in Error, Nichols, Shepard & Co. — The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. Charles F. Burton, in support of the same, and Mr. R. A. Parker and Mr. Don M. Dickinson, in opposition thereto.

1098.

	Samuel G. Hickman,	The suggestion of
231.	vs. Pltf. in Errd,	a diminution of the
	The City of Fort Scott.	record and mo-

tion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. D. McCleverty and Mr. W. A. McKenney, in support of the same, and Mr. Wayne MacVeagh, in opposition thereto.

	Pierre Fayolle et al.,	The motion to dis-
8&c.	vs. Appellants,	miss in this cause
	The Texas & Pacific	was submitted to
	Railway Co.	the consideration

of the Court on printed arguments by Mr. W. D. Davidge and Mr. W. H. Trescott, in support of the same, and Mr. W. D. Shipman, in opposition thereto.

	The United States,	The argument of
887.	vs. Appellant,	this cause was
	The San Jacinto Tin	continued by Mr.
	Co. et al.	William M.

Stewart, of counsel for the appellees, and concluded by Mr. Solicitor General Jenks, of counsel for the appellant.

The Washington Ice Company et al.,
150. vs. Plffs. in Error,
Nathaniel Webster.

The argument of this cause was commenced by Mr. A. P. Gould, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 31st 1888.

Pursuant to adiournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan — Associate
Horace Gray — Justices
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. A. Collins it is ordered that Harrison Dunham, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Washington Gee Company et al.,	The argument of this cause was continued
150.	vs. Plffs. in Error,	by Mr. A. P. Gould,
	Nathaniel Webster.	of counsel for the

plaintiffs in error, and Mr. B. F. Butler, of counsel for the defendant in error, and concluded by Mr. A. P. Gould, of counsel for the plaintiffs in error.

	The City of Chicago,	This cause was sub-
151.	vs. Plff. in Error,	mitted to the consid-
	Catherine A. Taylor,	eration of the Court
	Executrix &c., et al.	on the record and

printed arguments by Mr. Frederick S. Winston, of counsel for the plaintiff in error, and Mr. George A. Follansbee, of counsel for the defendants in error.

	Jerah H. Patterson,	In Error to the
152.	vs. Plff. in Error,	Circuit Court of the
	John Gerardi and	United States for the
	Joseph Gerardi.	Eastern District of

Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Samuel S. Cissel,
153. vs. Appellant,
Anthony M. Dutch et al.

Mr. S. S. Henkle, of counsel for the appellees, suggested the death of Anthony M. Dutch, one of the appellees herein, and moved the Court to make Mary A. Dutch, Executrix of the said Anthony M. Dutch, a party appellee in this cause. Whereupon, It is ordered by the Court that Mary A. Dutch, Executrix of Anthony M. Dutch, deceased, as aforesaid, be, and she is hereby, made a party appellee in this cause.

153.	Samuel S. Cissel, vs. Mary A. Dulch, Executrix &c., et al.	Appellant, The argument of this cause was commenced by Mr. J. A. Lambert, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, February 1st 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that Royal S. Crane, Esquire, of New York City, and R. G. Erwin, Esquire, of Savannah, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

153. Samuel S. Cissel, Appellant, vs. Mary A. Dutch, Executrix &c., et al's. The argument of this cause was continued by Mr. S. S. Henkle, of counsel for the appellees, and concluded by Mr. Enoch Totten, of counsel for the appellant.

154. The United States, Appellant, vs. The British Steamer "Strathairly", her tackle &c., John McEntyre, Claimant. This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the appellant, and Mr. W. W. Morrow, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, February 9th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that Charles L. Catlin, Esquire, of Superior, and Henry H. Hayden, Esquire, of Eau Claire, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

	The Copper Queen Mining Company	In Error to the Supreme Court of
858.	vs. Plff. in Error,	the Territory of
	The Arizona Prince Copper Company.	Arizona.

This cause being called to the attention of the Court by Mr. J. K. McCammon, in behalf of counsel for the plaintiff in error, and a motion by the plaintiff in error to dismiss this cause having been filed, It is thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	Robert C. Crawford,	This cause was
155.	vs. Plff. in Error,	submitted to the
	William F. Halsey.	consideration of

the Court on the record and printed arguments by Mr. E. M. Hudson, of counsel for the plaintiff in error, and Mr. Thomas A. Baynes, and Mr. George Denegre, of counsel for the defendant

156.	William D. Andrews et al., vs. Appellants, Royal D. Cone.	Ordered by the Court that this cause be, and the same is hereby, passed.
157.	Thomas C. Power et al., vs. Appellants Isaac G. Baker et al.	The argument of these cases was commenced by Mr. N. L. Williams, of counsel for Baker et al.
	And	
307.	Isaac G. Baker et al., vs. Appellants Thomas C. Power et al.	
157.	Thomas C. Power, James McGarry, William M. Rees, Andrew M. Johnson and Joseph U. McKnight, vs. Appellants, Isaac G. Baker, John J. Massie, William G. Conrad and Charles E. Conrad, owners of the Steamer "Colonel McLeod".	Appeals from the Circuit Court of the United States
	And	

Isaac G. Baker, John J. Massie, William G. Conrad and Charles E. Conrad, owners of the Steamer "Colonel McLeod", — vs. — Thomas C. Power, James McGarry, William M. Rees, Andrew M. Johnson and Joseph U. McKnight. — Appellants

for the District of Minnesota.

307.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, the appellants to pay the costs of their respective appeals in this Court. Cost of printing testimony improperly embodied in the transcript of the record and clerks fees for supervising the same to be paid by the appellants in No. 157.

158. The United States, Appellant, vs. Jabez Burchard.

1332. Jabez Burchard, Appellant, vs. The United States.

698. Howard D. Potts, Appellant, vs. The United States.

These cases were argued by Mr. Robert B. Lines, of counsel for Burchard and Potts, and Mr. Heber J. May, of counsel for The United States.

159. Matthew J. Shoecraft, Appellant, vs. W. D. Bloxham, Governor, et al.

This cause was argued by Mr. R. G. Erwin, of counsel for the appellees, and submitted on printed argument by Mr. C. K. Davis, of counsel for the appellant.

160. Francis Munson. vs. Appellant
The Mayor &c., of the City of New York.
And
161. The Mayor &c. of the City of New York, vs. Appellants
Francis Munson.

The argument of these cases was commenced by Mr. Royal S. Crane, of counsel for Munson.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, February 3d 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Francis Munson,
160. vs. Appellant,
The Mayor &c. of the
City of New York
and
The Mayor &c. of the
City of New York,
161. vs. Appellants
Francis Munson.

The argument of these cases was continued by Mr. Royal S. Crane, of counsel for Munson, and Mr. Frederic N. Betts, of counsel for the Mayor &c. of the

City of New York, and concluded by Mr. Royal S. Crane, of counsel for Munson.

	The Yale Lock Manufacturing Co.,	The argument of this cause was commenced by Mr.
162.	vs. Appellant	Frederic N. Betts,
	Thomas L. James.	of counsel for the

appellant, and continued by Mr. Solicitor General Jenks, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 6th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Matthew Hale it is ordered that Worthington Frothingham, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Lambert A. Hopkins,
Thomas B. Catron and
William T. Thornton,
140. vs. Plffs. in Error,
William C. Orr and
DeCoursey B. Lindsley.

In Error to the
Supreme Court
of the Territory
of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until said, at the same rate per annum that similar judgments bear in the Courts of the Territory of New Mexico.

per Mr. Justice Gray.

111.	The District of Columbia, vs. Appellant, Hugh L. Gallaher, Joseph G. Loane and Henry E. Loane, doing business under the firm name of Gallaher, Loane & Company.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Matthews.

605.	The Great Falls Manufacturing Company, vs. Appellant, Augustus H. Garland, Attorney General of the United States, et al.	Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Susan C. Knight, (formerly Susan C. Marshall),	Appeal from the Circuit Court of the United States for the
50. vs. Appellant,	Northern District of
James W. Paxton.	Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The District of Columbia,
111. vs. Appellant, } Appeal from the
Hugh L. Gallaher, Joseph } Court of Claims.
G. Loane and Henry E. Loane,
doing business under the
firm name of Gallaher,
Loane & Company.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Matthews.

The Great Falls Manufacturing Company,
605. vs. Appellant, } Appeal from the
Augustus H. Garland, } Circuit Court of
Attorney General of the } the United States
United States, et al. } for the District of
Maryland.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Susan C. Knight, (formerly Susan C. Marshall), vs. Appellant, James W. Paxton.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

50.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

927. The United States, Plaintiff, vs. Douglas Smith. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the second and third questions certified must be answered in the negative. An answer to the first question is therefore immaterial.

Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Justice Field.

	The Aetna Life Insurance Company of Hartford, Connecticut,	Appeal from the Circuit Court of the United States for the Northern District of Illinois
1134.	vs. Appellant	
	The Town of Middleport.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

	The Aetna Life Insurance Company of Hartford, Connecticut,	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
1135	vs. Appellant.	
	The Town of Belmont and the Town of Grenard, (now called Crescent).	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

1136. The Aetna Life Insurance Company of Hartford, Connecticut, vs. The Town of Milford. Appellant, Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

90. Spencer Trask, vs. The Jacksonville, Pensacola & Mobile Railroad Company, The Florida Central Railroad Company, J. Fred Schutte et al. — Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

	Pierre Fayolle et al.,	Appeal from the Su-
890.	vs. Appellants,	preme Court of the
	The Texas & Pacific	District of
	Railway Company.	Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	Laura E. French,	In Error to the Su-
1108.	vs. Pltff. in Error,	preme Court of the
	Moses Hopkins and	State of California.
	James Mee.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Elon A. Marsh et al.,
'098. vs. Plffs. in Error,
Nichols, Shepard & Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Samuel G. Nietman,
931. vs. Plff. in Error,
The City of Fort Scott.

On consideration of the motion for a writ of certiorari in this cause, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, but without prejudice to the right of the plaintiff in error to move as he may be advised either as to costs or otherwise on the return of the new matter.

1150.	Hugh Moliram Brooks &c., vs. Plff. in Error, The State of Missouri.	Mr. A.H. Garland, in behalf of counsel for the defendant in error;

moved the Court to grant leave to the Clerk to issue the mandate in this cause. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

162.	The Vale Lock Manufacturing Company, vs. Appellant, Thomas L. Hames.	The argument of this cause was continued by Mr. Solicitor General Jenks, of counsel for the appellees, and concluded by Mr. Frederic N. Betts, of counsel for the appellant.

163.	The Hannibal & St. Joseph Railroad Company, vs. Plff. in Error, The Missouri River Packet Co.	This cause was argued by Sanford B. Ladd, of counsel for the defendant in

error, and submitted on printed arguments by Mr. Wirt Dexter and Mr. John J. Herrick of counsel for the plaintiff in error.

The Glacier Mountain Silver Mining Company, Plff. in Error, vs. J. Frank Willis et al.	This cause was argued by Mr. Walter H. Smith, of counsel for the plaintiff in error.
166.	

No counsel appeared for the defendants in error.

The Glacier Mountain Silver Mining Company, Plff. in Error, vs. J. Frank Willis, Charles Buckland and Donald M. Frothingham.	In Error to the Circuit Court of the United States for the District of Colorado.
166.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now hereordered and adjudged by this Court that the

writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Charles E. Miller and Daniel E. Rollins, Executors &c., vs. Plffs. in Error, Frederick Butterfield et al. } This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiffs in error, and Mr. George Bliss, of counsel for the defendants in error.

16½.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, February 7th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Earle it is ordered that Joseph N. Earle, Esquire, of Sumter, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. McCarter it is ordered that James F. Minturn, Esquire, of Hoboken, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

872. John C. Spencer, vs. Plff. in Error, Caroline L. Merchant, Executrix &c. vs.

This cause was resubmitted to the consideration of the Court on the record and printed arguments by Mr. Matthew Hale and Mr. Albert Day, of counsel for the plaintiff in error, and Mr. Walter C. Ward, of counsel for the defendant in error.

584. The Peoples Bank of the City of New York, vs. Appellant, The Mechanics National Bank of Newark, New Jersey, and Frederick Frelinghuysen, Receiver.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause being called to the attention of the Court by Mr. Thomas A. McCarter, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

The Peoples Bank of the City of New York, vs. The Mechanics National Bank of Newark, New Jersey, and Frederick Frelinghuysen, Receiver. — Appellant. — Appeal from the Circuit Court of the United States for the District of New Jersey.

716

This cause being called to the attention of the Court by Mr. Thomas A. McCarter, in behalf of counsel, and authority of counsel for appellant to dismiss this cause having been filed. It is, thereupon, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that

this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

	The Glacier Mountain Silver Mining Company,	Mr. Walter H. Smith, of counsel
166.	vs. Pltf. in Error,	for the plaintiff in
	J. Frank Willis et al's.	error, filed and

submitted to the consideration of the Court a motion to vacate the judgment of dismissal entered herein on the 6th instant and an affidavit in support of the same.

	John S. Tidd,	Mr. William A.
114.	vs. Pltf. in Error	Maury, in behalf
	S. C. Pearson et al's.	of counsel for the

plaintiff in error, moved the Court to assign this cause for argument on the 13th instant, which was opposed by Mr. Fillmore Beall, in behalf of counsel for the defendants in error. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

Eq. Richard Hoskin et al., vs. F. H. Fisher et al. Appellants

This cause was argued by Mr. M. A. Wheaton, of counsel for the appellants, and Mr. John H. Miller, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, February 6th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. [illegible]. John S. Tidd, Plff. in Error, vs. S. E. Pearson et al.

On consideration of the motion to assign this cause for argument, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument at the foot of the call on the 28th of March next.

170. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. The Pennsylvania R.R. Co.

171. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. The Pennsylvania R.R. Co.

172. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. Adolph E. Schmidt.

173. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. Adolph E. Schmidt.

174. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. The Hamburg American Steam Packet Co.

175. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. The North German Lloyd Steamship Co.

On motion of Mr. Barton Gummere, of counsel, It is ordered by the Court that counsel on each side be allowed four hours for the argument of these cases.

170. The Mayor &c. of the City of Hoboken, Plffs. in Error vs. The Pennsylvania Railroad Co.

171. The Mayor &c of the City of Hoboken, Plffs. in Error, vs. The Pennsylvania Railroad Co.

172. The Mayor &c. of the City of Hoboken, Plffs. in Error, vs. Adolph E. Schmidt.

173. The Mayor &c. of the City of Hoboken, Plffs. in Error,
vs. Adolph E. Schmidt.

174. The Mayor &c. of the City of Hoboken, Plffs. in Error,
vs. The Hamburg American Steam Packet Co.

175. The Mayor &c. of the City of Hoboken, Plffs. in Error,
vs. The North German Lloyd Steamship Co.

The argument of these cases was commenced by Mr. James F. Minturn, of counsel for the plaintiffs in error, and continued by Mr. James B. Vreedenburgh and Mr. Barker Gummere, of counsel for the defendant in error in Nos. 170 and 171.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, February 9th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal
James N. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. A. Collins it is ordered that Elijah George and Thomas McCrate Babson, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Bedle it is ordered that Jefferson M. Levy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

172. The United States, pltff. in Error, vs. Harrison Johnston. On motion of Mr. William A. McKenney, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

170. The Mayor &c. of the City of Hoboken, Pltffs. in Error, vs. The Pennsylvania Railroad Co.

171. The Mayor &c. of the City of Hoboken, Pltffs. in Error, vs. The Pennsylvania Railroad Co.

172. The Mayor &c. of the City of Hoboken, Pltffs. in Error, vs. Adolph E. Schmidt.

173. The Mayor &c. of the City of Hoboken, Pltff. in Error, vs. Adolph E. Schmidt.

174. The Mayor &c. of the City of Hoboken, Pltffs. in Error, vs The Hamburg American Steam Packet Co.

175. The Mayor &c. of the City of Hoboken, Pltffs. in Error,

The argument of these cases was continued by Mr. Jean Abbott, of counsel for the defendants in error in Nos. 172, 173, 174 and 175, and Mr. J. D. Bodle, of counsel for the defendant in error in Nos. 170 and 171, and concluded by Mr. J. C. McCarter, of counsel for the plaintiffs in error.

176. C. P. More et al., vs. Rudolph Steinbach et al. Appellants, This cause was submitted to the consideration of the Court on the record, and leave granted the counsel for the respective parties to file printed arguments as per stipulation.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, February 10th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

1150. Hugh Mortram Brooks ver., Plff. in Error, vs. The State of Missouri.

Mr. John F. Marlin, of counsel for the defendant in error, appeared in opposition to the motion that the Clerk be directed to issue the mandate in this cause, heretofore made and submitted to the Court by Mr. Garland, in behalf of counsel for the defendant in error, and requested that the

mandate be not issued before the close of the present term of the Court. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

178. Augusta Friedenstein, Claimant vs. vs. Plff. in Error, The United States.

This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiff in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

180. The United States, vs. Appellant, Charles W. Beebe et als.

The argument of this cause was commenced by Mr. Henry M. Baker, of counsel for the appellant, and continued by Mr. U. M. Rose, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 13th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that George W. Weadock, Esquire, of East Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that J. E. Scroggy, Esquire, of Xenia, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

491. The United States, Appellant, vs. Jung Ah Lung. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Blatchford

Dissenting:
Mr. Justice Harlan
Mr. Justice Field
Mr. Justice Lamar

160. Francis Munson, vs. The Mayor, Aldermen and Commonalty of the City of New York and the Comptroller thereof. — Appellants, — Appeals from the Circuit Court of the United States for the Southern District of New York.

and

161. The Mayor, Aldermen and Commonalty of the City of New York and the Comptroller thereof, vs. Francis Munson. — Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by Francis E Munson; and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill with costs.

per Mr. Justice Gray.

The United States,		Appeal from the
54.	vs. Appellant,	Circuit Court
The British Steamer		of the United
"Strathairly", her tackle,		States for the
apparel, furniture &c.,		District of
John M°Intyre, the younger		California.
of that name, Claimant.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby,

reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to take further proceedings therein in accordance with the opinion of this Court.

per Mr. Justice Matthews.

Edward B. Thornton, Pltf. in Error,
vs.
Francis Schreiber Sr., Gerhard Schreiber Henry Schreiber 2nd Conrad Schreiber, trading as Schreiber & Sons.

No. 1317.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs;

and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Miller.

Louis Phillips, Lugardo A. de Palomares, and A. E. Sepulveda, Administrator of Francisco Palomares, deceased,

vs.

The Mound City Land and Water Association, The Los Angeles County Bank and Mary E. J. Dalton, Executrix of Henry Dalton, deceased.

490. Plffs. in Error,

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby,

dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The Glacier Mountain Silver Mining Company vs. J. Frank Willis et al.

166. Plff. in Error,

On consideration of the motion to rescind the judgment of dismissal entered herein, It is now here ordered by the Court that the further consideration of this motion be, and the same is hereby, postponed until March 19th, and the plaintiff in error is directed to cause notice of this order and of the motion, with a copy of all affidavits filed or to be filed in support thereof, to be served upon the defendants in error on or before the second day of March.

per Mr. Chief Justice Waite.

Order.

The Reporter having represented that, owing to the number of decisions at the term, it will be impracticable to put the reports in one volume, It is therefore

now here ordered that he publish an additional volume in this year, pursuant to Section 681 of the Revised Statutes.

per Mr. Chief Justice Waite.

Silas C. Baines, S. C. Hart, George T. Bradley and J. W. Norwood		In Error to the Circuit Court of the United
1152. vs.	Plffs. in Error,	States for the
Melissa P. Dodge, William E. Dodge Jr. and David Stuart Dodge.		Northern District of Texas.

This cause being called to the attention of the Court by Mr. A. H. Garland, in behalf of counsel for the plaintiffs in error, and the authority of counsel for the plaintiffs in error to dismiss having been filed. It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	The Mexican National Construction Company,	In Error to the Circuit Court of the United States for the Southern District of New York.
312.	vs. Pltf. in Error,	
	Guillaume Reusens.	

This cause being called to the attention of the Court by Mr. Samuel Shellabarger, in behalf of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

	The Mexican National Construction Company	In Error to the Circuit Court of the United States for the Eastern District of Texas.
314.	vs. Pltf. in Error,	
	George Fry.	

This cause being called to the attention of the Court by Mr. Samuel Shellabarger, in

behalf of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, it is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

312. The Mexican National Construction Company vs. Plff. in Error, Guillaume Teusens. and The Mexican National Construction Company vs. Plff. in Error, George Fry.

On motion of Mr. Samuel Shellabarger, in behalf of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandates in these cases.

194. Henry C. Maynard et al., Appellants vs. W. C. Hill et al.

On motion of Mr. C. H. Hanford, of counsel for the appellants, Ordered by the Court that this cause be argued in the place of No. 190 on the

docket when that case is reached in the regular call and that No. 190 take the place of No. 194, by agreement of counsel in both cases.

418. The American Diamond Drill Co., vs. Appellant, The Sullivan Machine Co.

1101. The American Diamond Rock Boring Co., vs. Appellant, Charles Sheldon et al.

And

1102. The American Diamond Rock Boring Co., vs. Appellant, The Rutland Marble Company.

On motion of Mr. E. G. Thompson, of counsel for the appellants, and in pursuance of stipulations on file, It is ordered by the Court that these cases be consolidated and heard as one case when No. 418 is reached in the call of the docket.

94. The Dundee Mortgage and Trust Investment Co. (Limited) vs. Plff. in Error, Ellis G. Hughes.

On motion of Mr. J. A. Dolph, of counsel for the defendant in

error, leave is hereby granted the Clerk to issue the mandate in this cause.

Joseph C. Spencer et al.,		On motion of
142.	vs. Appellants	Mr. Walter H.
Samuel McMaster.		Smith, of coun-
		sel for the ap-

pellants, It is ordered by the Court that the decree of dismissal entered herein on January 23d be, and the same is hereby, vacated and the cause restored to the docket.

William D. Part,		In Error to the Circuit
184.	vs. Plff. in Error,	Court of the United States
The United States.		for the District of
		Massachusetts.

This cause being called to the attention of the Court by Mr. G. B. Wentworth, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

	Fred. Marchand,	Mr. C. W. Horner,
179.	vs. Plff. in Error,	of counsel for the
	Josephine Adele	plaintiff in error,
	Livandais.	asked and obtained

leave of the Court to file a motion for a citation to the husband of the defendant in error to appear and assist his wife in the defense of this suit.

	The District of Columbia	On motion of Mr.
141.	vs. Appellant,	Woodbury Blair,
	Hugh L. Gallaher et al.	of counsel for the

appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

	The United States	The argument of this
180.	vs. Appellant,	cause was continued
	Charles W. Beebe et al.	by Mr. U. M. Rose,

of counsel for the appellees, and concluded by Mr. H. M. Baker, of counsel for the appellant.

Frederick C. Weir,
182. vs. Appellant,
William J. Maiden et als.

This cause was argued by Mr. E. E. Wood, of counsel for the appellant, and Mr. C. K. Offield, of counsel for the appellees.

Horatio N. Whitbeck
Treasurer &c.
970. vs. Appellant,
The Mercantile National Bank of Cleveland, Ohio.

Ordered by the Court that this cause be, and the same is hereby re-assigned for argument at the head of the call for March 19th next.

The American Diamond Rock
Boring Company.
1101. vs. Appellant,
Charles Sheldon et als.
and
The American Diamond
Rock Boring Co.,
102. vs. Appellant
The Rutland Marble Co.

Mr. E. J. Thompson, of counsel for appellant moved the Court for leave to file ten separate appeals of

The American Diamond Rock Boring Company in these cases, and that they be consolidated and treated as if each appeal were separately docketed, as provided by stipulation filed herein. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, February 14th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. A. Collins it is ordered that Charles H. Symonds, Esquire, of Salem, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. E. Tremain, it is ordered that Clarence R. Conger, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The American Diamond Rock Boring Company,		On consideration of the motion to file ten other and separate appeals of the American Diamond Rock Boring Company in these cases, and that they be consolidated with these cases and also case No. 418 on the present docket, and treated with the same force and effect as if each appeal were separately docketed. It is ordered that leave to file said appeals in these cases be, and the same is
1101.	vs.	Appellant	
	Charles Sheldon et al.		
	And		
	The American Diamond Rock Boring Company		
1102.	vs.	Appellant	
	The Rutland Marble Company.		

hereby, denied, and that each appeal be docketed separately, and when docketed that they be consolidated and heard together with these cases and No. 418 on the present docket, when the latter case is reached in the regular call of the docket.

Per Mr. Chief Justice Waite.

1324. The National Bank of Redemption, Plff. in Error, vs. The City of Boston.

This cause was argued by Mr. George E. Hale, of counsel for the plaintiff in error, and Mr. C. A. J. Bailey and Mr. George F. Hoar, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, February 15th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Thomas N. Allen et als.,
185. vs. Appellants
Benjamin N. Smith et als.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, of counsel for the appellants, and Mr. U. M. Rose, of counsel for the appellees.

325. The Western Union Telegraph Co., Appellant, vs. The Attorney General of the Commonwealth of Massachusetts.

This cause was argued by Mr. George F. Hoar, of counsel for the appellant, and Mr. N. C. Bliss, of counsel for the appellees.

910. The State of Missouri ex rel: John R. Walker, Plff. in Error, vs. John Walker, State Auditor.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. M. Williams, of counsel for the plaintiff in error, and Mr. B. G. Boone, of counsel for the defendant in error.

950. John F. Hartranft, Collector &c., Plff. in Error, vs. Abram M. Langfeld et al.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error and Mr. Joseph H. Choate, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, February 15th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Thomas N. Allen et al.,
185. vs. Appellants
Benjamin N. Smith et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, of counsel for the appellants, and Mr. U. M. Rose, of counsel for the appellees.

The Western Union Telegraph Co., Appellant,
325. vs.
The Attorney General of the Commonwealth of Massachusetts.

This cause was argued by Mr. George A. Hale, of counsel for the appellant, and Mr. H. C. Bliss, of counsel for the appellee.

The State of Missouri ex rel: John R. Walker, Plff. in Error,
910. vs.
John Walker, State Auditor.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. M. Williams, of counsel for the plaintiff in error, and Mr. B. G. Boone, of counsel for the defendant in error.

John F. Hartranft, Collector &c., Plff. in Error,
750. vs.
Abram M. Langfeld et al.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. Joseph H. Choate of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, February 16th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. H. White it is ordered that Charles Claflin Allen, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Lyman it is ordered

that H. E. Long, Esquire, of Des Moines, State of Iowa, be admitted to practice a an attorney and counsellor of this Court and he was sworn accordingly.

186. Arthur Briget, Claimant &c., vs. The United States. Plff. in Error, This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiff in error, and Mr Solicitor General Jenks, of counsel for the defendant in error.

187. Benjamin F. Bowerman et al., vs. William G. Rogers et al., Assignees &c. Plffs. in Error, This cause was argue by Mr. Edwin B. Smith, of counsel for the plaintiffs in error, and Mr. Everett P. Wheeler, of counsel for the defendants in error.

189. The Cerro Gordo Consolidated Silver Mining Co. Milling Co., Plff in Error, vs. The Commonwealth of Pennsylvania.

This cause was argued by Mr. James W. M. Nowlin, of counsel for the plaintiff in error, and Mr. W. S. Kirkpatrick, of counsel for the defendant in error.

190. Henry C. Maynard et al. Appellants, vs. W. C. Hill et al.

(Substituted for No. 190.)

The argument of this cause was commenced by Mr. C. H. Hanford, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, February 17th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. Hubley Ashton it is ordered that George N. Fearons, Esquire, of New York City, and David K. Watson, Esquire, of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

William L. Royall, Plff. in Error, vs. The State of Virginia. 135 of O. T. 1888. Mr. Leigh Robinson, in behalf of the plaintiff in error, filed and submitted to the consideration of the Court a petition that this Court take such action as will cause its mandate herein to be enforced.

Frank Patterman, Treasurer &c., Appellant, vs. The Western Union Telegraph Co. 136 do. Mr. David K. Watson, of counsel for the appellant, filed and submitted to the consideration of the Court a motion to advance this cause.

The East Tennessee, Virginia & Georgia Railroad Co., Plff. in Error, vs. The Southern Telegraph Co. 137 do. Mr. George H. Fearons, in behalf of counsel for the plaintiff in error, filed and submitted to the consideration of the Court a return to the order to show cause entered herein on January 9th 1888.

Henry C. Maynard et al. (Substituted for
194. vs. Appellants, No. 190.)
W. C. Hill et al. The argument
of this cause
was continued by Mr. C. H. Hanford, of counsel for the appellants, and Mr. Walter H. Smith, of counsel for the appellees, and concluded by Mr. C. H. Hanford, of counsel for the appellants.

John F. Hartranft, Collector &c., This cause
191. vs. Plff. in Error, was argued
Joseph B. Shepard et al. by Mr. Solicitor Gen
eral Jenks, of counsel for the plaintiff in error, and submitted on the record by Mr. F. P. Prichard, of counsel for the defendants in error.

The St. Louis, Alton & Terre Haute Ordered by
Railroad Company, the Court
192. vs. Appellant, that this
The Cleveland, Columbus, Cin- cause be,
cinnati & Indianapolis and the
Railway Co. et al. same is
hereby,

passed and assigned for argument after the cases specially assigned for argument on March 19th.

Franklin G. Smith,
vs. Appellant.
The Board of County Commissioners of Bourbon County, Kansas, et al. Appellees.

No. 1478.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. L. Williams and Mr. N. C. Long, of counsel for the appellant, and leave granted counsel for the appellees to file a printed argument hereafter.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 20th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Charles Pratt, Esquire, of Toledo, State of Ohio, John M. Moore and George H. Sanders, Esquires, of Little Rock, and D. H. Reynolds, Esquire, of Lake Village, State of Arkansas, and J. Rider Cady, Esquire, of Hudson, State of

New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Earle it is ordered that James L. Pugh, Jr., Esquire, of Eufaula, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Van H. Manning it is ordered that Duane E. Fox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Burry it is ordered that F. N. Boyesen and S. S. Gregory, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they

were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that Harlow L. Erskine, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

16. William D. Andrews et al., Appellants vs. George Hovey. On consideration of the petition for a rehearing filed in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Blatchford.

'86. William D. Andrews et al., Appellants vs. Royal D. Cone. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause being called for hearing in its regular order, and the following stipulation

having been filed, viz:

"In the Supreme Court of the United States.

William D. Andrews et al.,	October Term
vs.	1887.
Royal D. Cone.	No. 156.

It is hereby stipulated by and between the parties to the above entitled suit, that this case, and all the other cases now pending in the Circuit Court of the United States for the District of Minnesota, wherein these complainants are complainants, and several parties for whom Wilson and Gale are solicitors of record are defendants, shall abide the result of the case now pending in this Court between these complainants, as complainants and appellants, and George Hovey as defendant, (being No. 16 on the docket of the Court for the October Term, 188?); and it is further stipulated and agreed by and on behalf of the parties aforesaid, that the decree and mandate herein, shall be the same as the decree and mandate in said cause (No. 16), except that no costs shall be taxed and awarded, or disbursements or officer's fees allowed or awarded in the above entitled case or in the other

said cases pending in the United States Circuit Court for the District of Minnesota as aforesaid, wherein said Wilson and Gale, are solicitors for the defendants, in favor of or against either party thereto. It is distinctly understood that each party shall pay his own costs and disbursements.

Washington, August 3, 1887.

J. C. Clayton,
Counsel of Record for Appellants.
Thomas Wilson,
Counsel of Record for Appellee."

It is thereupon, now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, each party to pay his own costs in this Court.

per Mr. Justice Blatchford.

The Mayor and Council of the City of Hoboken,		In Error to the Circuit Court of the United States for the District of New Jersey.
170.	vs. Pltf. in Error,	
The Pennsylvania Railroad Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by coun-sel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

171. The Mayor and Council of the City of Hoboken, vs. Pltffs. in Error, The Pennsylvania Rail-road Company. In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by coun-sel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

	The Mayor & Council of the City of Hoboken,	In Error to the Circuit Court of the United States for the District of New Jersey.
172.	vs. Plffs. in Error,	
	Adolph E. Schmidt.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

	The Mayor and Council of the City of Hoboken,	In Error to the Circuit Court of the United States for the District of New Jersey.
173.	vs. Plffs. in Error	
	Adolph E. Schmidt.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

171. The Mayor and Council of the City of Hoboken, vs. Pfpfs. in Erro; The Pennsylvania Rail. road Company.

In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

172. The Mayor & Council of the City of Hoboken, vs. Plffs. in Error, Adolph E. Schmidt. In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

173. The Mayor and Council of the City of Hoboken, vs. Plffs. in Error Adolph E. Schmidt. In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

The Mayor and Council of the City of Hoboken,		In Error to the Circuit Court of the
174.	vs. Plffs. in Error,	United States for
The Hamburg American Steam Packet Company.		the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs.

per Mr. Justice Matthews.

	The Mayor and Council of the City of Hoboken,	In Error to the Circuit Court of
175.	vs. Plffs. in Error,	the United States
	The North German Lloyds Steamship Company.	for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

	The United States,	On considera-
36.	vs. Appellant,	tion of the mo-
	Mathilde de Morant et al.	tion to reform

the decree entered by this Court herein, It is now here

ordered by the Court that the decree in this case be amended by adding thereto instructions to the District Court from whose decree the appeal was taken to amend its decree by describing, according to United States Surveys, the lands applied for by the appellees and confirmed to them by the decree, and by declaring that if any parts of said lands have been sold or granted by the United States, the appellees shall have the right to enter upon any of the public lands of the United States a quantity of land equal in extent to that so sold or granted; and by directing a reference to be made to a master to ascertain whether any such sales, and if so what, and to what extent, have been made; and by declaring the appellees entitled to scrip certificates to the extent and amount of such sales and grants. And the said District Court is further instructed to take such further proceedings as may be necessary to carry out the instructions of this decree.

Per Mr. Justice Bradley.

59. Matthew J. Chocoraft, Appellant, vs. William D. Bloxham, Governor; W. D. Barnes, Comptroller; Henry A. L'Engle, Treasurer; George P. Raney, Attorney General, and P. W. White, Commissioner of Lands & Immigration of the State of Florida, as Trustees of the Internal Improvement Fund of the State of Florida, et al. } Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

	R. Frank Clark and William E. Morgan, Administrators with the will annexed of Milo Hoadley, dec'd.,	In Error to the Supreme Court of the State of California.
879.	vs. Plffs. in Error,	
	The City and County of San Francisco.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

	The Pacific National Bank of Boston by Peter Butler, Receiver,	In Error to the Circuit Court of the United States for the District of Massachusetts.
129.	vs. Plff. in Error,	
	George Mixter.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Chief Justice Waite.

130. The Pacific National Bank of Boston and Peter Butler, Receiver, vs. Plffs. in Error, Henry M. Whitney. In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Chief Justice Waite.

Peter Butler, Receiver of The Pacific National Bank, vs. Appellant, Lewis Coleman, John Shebard, George Mixter, Lucy E. Prescott, Executrix of Calvin B. Prescott, deceased, Henry M. Whitney and Daniel L. Demmon. 439. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree setting aside and annulling the bonds which were given in the suits to dissolve the attachments, and enjoining each and all of the creditors and those claiming under them from proceeding in any manners to enforce the same against the sureties and directing the sureties to surrender to the receiver the securities they hold for their indemnity.

Per Mr. Chief Justice Waite.

The Pacific National Bank of Boston, Peter Butler, Receiver, Plff. in Error, vs. Daniel L. Denmon. In Error to the Circuit Court of the United States for the District of Massachusetts.

140.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Chief Justice Waite.

Robert K. Dow, Watson Matthews and Charles Moran, Trustees,		Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.
165.	vs. Appellants,	
The Memphis & Little Rock Railroad Company, (as reorganized).		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the

same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Chief Justice Waite.

Robert C. Crawford,		In Error to the Cir-
155.	vs. Pltf. in Error,	cuit Court of the
William F. Halsey.		United States for the
		Eastern District
		of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

William L. Royall, Pltff. in Error,
1351 of O.J. 1886. vs.
The State of Virginia.

On consideration of the petition of the plaintiff in error to give effect to the judgment of this Court in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

The East Tennessee, Virginia & Georgia Railroad Company, Pltff. in Error,
107. vs.
The Southern Telegraph Co.

It is now here ordered by the Court that the plaintiff in error be given until the 19th day of March next to make a further showing, if it desires to do so, why this cause should not be dismissed.

per Mr. Chief Justice Waite.

Grant Patterman, Treasurer &c. Appellant,
1360. vs.
The Western Union Telegraph Co.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby,

granted and the cause assigned for argument on March 19th next after No 970.

per Mr. Chief Justice Waite.

Order.

It is ordered by the Court that mandates issue in all cases decided prior to January 1st, 1888, when applied for, except where a petition for rehearing is pending and cases docketed and dismissed under the 9th rule.

per Mr. Chief Justice Waite.

The Chicago, Burlington & Kansas City Railway Company,

1362. vs. Appellant,

Samuel C. Hutchinson, Treasurer and ex officio Collector of Sullivan County, Missouri.

Mr. John P. Butler, of counsel for the appellee, having filed in open Court a certified copy of the decree of the Circuit Court of the United States for the Western District of Missouri and order allowing an appeal in this cause, moved the Court

to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have its cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Missouri be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

Hamilton Wilson,
1363. vs. Appellant,
Allen C. McArthur, Adora
M. Morris, Effie Jones,
Andrew Van Bibber, Administrator of Susie
Van Bibber, et al.

Mr. Lawrence Maxwell, Jr., of counsel for the appellees, having filed in open Court the following certificate,

to wit:

"This is to certify that, at the February term, 1887, of the Circuit Court of the United States for the Southern District of Ohio, Western Division, to wit: on February 12, 1887, Hamilton Wilson duly sued out an appeal, and the same was allowed by the Court from the decree of said Court in the suit in equity, case No. 2201 on the docket of said Court, which said decree so appealed from by said Hamilton Wilson was in favor of the complainants in said suit, viz: Allen C. McArthur, Adora M. Morris, Ellie Jones, Andrew Van Bibber, and Andrew Van Bibber, Administrator of Susie Van Bibber, and of the cross-complainants therein, viz: Thomas M. Anderson, Harry R. Anderson, Mary A. Olds, Charles Anderson, Anna J. Madiera, Mary A. Fullerton and John M. Madiera, and against said Hamilton Wilson, defendant in said suit, and in favor of and against no other parties.

In testimony whereof, I have hereunto set my hand and affixed (Seal) the seal of the said Court at

Cincinnati, Ohio, this 11th day of February, A.D. 1888.

C.R. Cowen, Clerk.

By B.E. Dilley, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 9th rules; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1364. C.R. Greene et al vs. Henry A. Towne, Appellants

Helen C. McArthur, Adora H. Morris, Effie Jones, Andrew Jan Bibber, Administrator of Susie Jan Bibber et al.

Mr. Lawrence Maxwell Jr., of Counsel for the appellees,

having filed in open Court the following certificate, to wit:

"This is to certify that at the February Term 1887, of the Circuit Court of the United States for the Southern District of Ohio, Western Division, to wit: on March 19, 1887, C. D. Greene and Harry A. Towne duly sued out an appeal and the same was allowed by the Court from the decree of said Court in the suit in Equity, No. 2201 on the Docket of said Court, which said decree so appealed from was in favor of the complainants in said suit, viz: Allen C. McArthur, Adora A. Morris, Effie Jones, Andrew Van Bibber, and Andrew Van Bibber, Administrator of Susie Van Bibber, and of the cross-complainants therein, viz: Thomas M. Anderson, Harry R. Anderson, Mary A. Olds, Charles Anderson, Anna T. Madieras, Mary A. Fullerton and John M. Madieras, and against said C. D. Greene and Henry A. Towne, defendants in said suit and in favor of and against no other parties.

In testimony whereof, I have

hereunto set my hand and affixed the seal of the said Court at Cincinnati, Ohio, this 11th day of February, A. D. 1888.

(Seal) B. R. Cowen, Clerk,
By B. E. Dilley, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court,

It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

Per Mr. Chief Justice Waite.

James M. Glenn, Trustee,
365 vs. Appellant,
Allen L. McArthur, Adora
M. Morris, Effie Jones,
Andrew Van Bibber, Administrator of Susie Van
Bibber, et al.

Mr. Laurence
Maxwell Jr.,
of counsel for
the appellees,
having filed
in open Court
the following
certificate, to

wit:

"This is to certify that, at the October Term, 1886, of the Circuit Court of the United States for the Southern District of Ohio, Western Division, to wit: on January 21, 1887, James M. Glenn, Trustee, duly sued out an appeals, and the same was allowed by the Court from the decree of said Court in the suit in Equity case No. 2201 on the docket of the said Court, which said decree so appealed from by the said James M. Glenn, Trustee, was in favor of the complainants in said suit, viz: Allen L. McArthur, Adoia M. Morris, Effie Jones, Andrew Van Bibber, and Andrew Van Bibber, Administrator of Susie Van Bibber, and of the cross-complainants therein,

viz: Thomas M. Anderson, Harry R. Anderson, Mary A. Rds, Charles Anderson, Anna J. Madieras, Mary A. Fullerton, John M. Madieras and Effie A. Scott, and against said James M. Flemm, Trustee, defendant in said suit, and in favor of and against no other parties.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Court at Cincinnati, Ohio, this 11th day of February, A.D. 1888.

(Seal)

B. R. Cowen, Clerk.

By B. E. Dilley, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and

the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

James S. P. Hatheway, vs. Plff. in Error, The First National Bank of Cambridge. 814.

Mr. Duane E. Fox, in behalf of counsel, suggested the death of James S. P. Hatheway, the plaintiff in error in this cause and moved the Court to make Eveline L. Hatheway, Executrix of the said James S. P. Hatheway, the party plaintiff in error herein. Whereupon, It is now here ordered by the Court that Eveline L. Hatheway, Executrix of James S. P. Hatheway, deceased, as aforesaid, be, and she is hereby, made the party plaintiff in error in this cause.

Proclamation being made the Court is adjourned until Monday, March 19th 1888, at twelve o'clock.

Monday, March 19th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Malcolm G. Jeffris, Esquire, of Janesville, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Boynton it is ordered that John C. Hale, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David K. Watson it is ordered that James Lawrence, of Cleveland, and William A. Davidson, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that W. E. Blake, Esquire, of Burlington, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Goode it is

ordered that W. L. Rann, Esquire, of Fredonia, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that William H. Lamar, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Hannibal & St. Joseph Railroad Company		In Error to the Supreme Court
163.	vs. Plff. in Error,	of the State of
The Missouri River Packet Company.		Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

The Southern Development Company, Appellant, vs. Frank Silva. } Appeal from the Circuit Court of the United States for the Northern District of California.

210.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

	Ira J. Clement,	In Error to the Circuit
113.	vs. Plff. in Error,	Court of the United States
	Elisha A. Packer.	for the Western District
		of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Lamar.

	Samuel S. Cissel,	Appeal from the
153.	vs. Appellant,	Supreme Court
	Mary A. Dulch, Executrix	of the District
	of Anthony M. Dulch,	of Columbia.
	deceased, et al.	

This cause came on to be heard on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in General Term, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with a direction to affirm with costs the decree of the Court in special term.

Per Mr. Justice Blatchford.

Richard Haskin, Joseph H. Haskin and Joseph Craig,		Appeal from the Circuit Court of the United
69.	vs. Appellants	States for the
Frank H. Fisher and Joshua Hendy.		District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by

Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with a direction to dismiss the bill with costs.

per Mr. Justice Blatchford.

Arthur Briget, Claimant of one case of woolens, marked A.O. 660; one case of silk velvet marked A.O. 663; one case of silk, cotton &c., marked A.O. 664; and one case of silk &c., marked A.O. 649,

vs. Plaintiff in Error,

The United States.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

178. Augusta Friedenstein, Claimant of one package containing forty-three diamonds, vs. Plff. in Error, The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

Dissenting:
Mr. Justice Field.

(Mr. Justice Bradley was not present at the argument of this cause and took no part in its decision.)

537. Richard A. Tilghman, Appellant, vs. William Procter, James Gamble, W. A. Procter, James A. Gamble & George H. Procter. Appeals from the Circuit Court of the United States for the Southern District of Ohio.

and

548. William Procter, James Gamble, W. A. Procter, James N. Gamble & George H. Procter, Appellants vs. Richard A. Tilghman.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, on appeal.

and cross. appeal and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by William Proctor et al.; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the plaintiff for the sum of $ 266.153.86, with interest from October 7, 1884, and costs.

Per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Waite.

(Mr. Justice Matthews did not sit in this cause or take any part in its decision.)

38. The New Orleans Water Works Company, vs. Plff. in Error, The Louisiana Sugar Refining Company and The City of New Orleans. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

9418. Jacob Treiber, Senior, Pltf. in Error, v.s. The Shelby Railroad Company, The Shelby Railroad District of Shelby County, James T. Force et al. — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the

same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

	Jacob Kreiger, Peniat, Edward Fulton and J. B. Wilders,	On Error to the Court of
149.	vs. Plffs. in Error,	Appeals of
	The Shelby Railroad Company, The Shelby Railroad District of Shelby County, S. P. Carrithers et al.	the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

	Jacob Treiber, Senior, and J. B. Wilder,	In Error to the Court of
130.	vs. Pltfs. in Error,	Appeals of the
	The Shelby Railroad Company	State of
	& The Shelby Railroad	Kentucky.
	District of Shelby County.	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

	The Dale Tile Manufacturing Company (Limited),	In Error to the City
1132.	vs. Pltf. in Error,	Court of
	Elizabeth A. A. Hyatt.	New York.

This cause came on to be heard on the transcript of the record from the City Court of New York and on a motion to dismiss

or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said City Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	Benjamin F. Felix,	In Error to the
255.	vs. Plff. in Error,	Supreme Court of
	William Scharnweber.	the State of
		Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

Mary Wall, Watson Wall, Susan E. Shauff, John A. Shauff, Byron Preston Barnett and James William Barnett, Appellants
vs.
George W. Bissell, Abraham S. Barnett, Nancy C. Barnett, Susan M. Barnett, John E. Hill, M. Winfield Simons, Executor of Oscar A. Simons, deceased, et als.

Appeal from the Circuit Court of the United States for the District of Indiana.

12.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	Frederick C. Weir,	Appeal from the Cir-
182:	vs. Appellant,	cuit Court of the
	William J. Morden, P.C.	United States for the
	Houston & G. M. Blackburn.	Northern District
		of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

	John F. Hartranft, Collector of	In Error to the
	Customs for the District of	Circuit Court
	Philadelphia,	of the United
150.	vs. Plff. in Error,	States for the
	Abram M. Langfeld, Aaron	Eastern
	Lichten, Moses N. Lichten and	District of
	Henry M. Rosenbaum, trading	Pennsyl-
	as Langfeld, Lichten & Company.	vania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Matthews.

The National Bank of Redemption, Plff. in Error, vs. The City of Boston. — In Error to the Circuit Court of the United States for the District of Massachusetts.

1324.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now

here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

(Mr. Justice Bradley, Mr. Justice Gray and Mr. Justice Blatchford did not sit in this case or take any part in the decision.)

798. George A. Bowman and Fred. W. Bowman, vs. Plffs. in Error, The Chicago & Northwestern Railway Company. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer to the plea, and to take further proceedings therein in conformity with the opinion of this Court.

Per Mr. Justice Matthews.

Dissenting:
Mr. Justice Harlan
Mr. Chief Justice Waite
Mr. Justice Gray.

151. The City of Chicago, Plff. in Error, vs. Catharine A. Taylor, Percy R. Payne, Moses Taylor Payne and Lawrence Turner, Executrix & Executors of Moses Taylor, deceased. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof,

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

Russell Sage,

126. vs. Appellant, Appeals from
The Memphis & Little Rock the Circuit
Railroad Company Court of the
(as reorganized). United States
and for the Eastern
The Memphis & Little Rock District of
Railroad Company Arkansas.
(as reorganized),

127. vs. Appellant.
Russell Sage.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, on appeal and

cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the Railroad Company; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein consistent with the opinion of this Court.

Per Mr. Justice Harlan.

J. D. Cunningham, Assignee of the assigned estate of J. W. Wallace, vs. Plff. in Error, A. B. Norton, James Bentley, Moses Ulman et al's. — In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein according to law.

per Mr. Justice Bradley.

20. The Willamette Iron Bridge Company vs. Appellant, J. Z. Hatch and M. O. Townsdale. Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, on the Bill of review, be, and the same is hereby, reversed

with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to reverse the decree in the original suit, and to dismiss the bill filed therein, without prejudice to any other proceeding which may be taken in relation to the erection of said bridges, not inconsistent with the opinion of this Court.

per Mr. Justice Bradley.

	Charles G. Davison and Carol Mundy,	Appeal from the Circuit
		Court of the United
100.	vs. Appellants	States for the District
	Alexander Henry Davis.	of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Charles E. Miller 3rd Daniel G. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York,	In Error to the Circuit Court of the United States for the Southern Dis-
167. vs. Plff. in Error,	trict of New
Frederick Butterfield et al.	York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Field.

	The Cambria Consolidated Silver Mining Company,	In Error to the Supreme Court of
129.	vs. Plff. in Error,	the State of
	The Commonwealth of Pennsylvania.	Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field

(Mr. Justice Bradley was not present at the argument of this cause and took no part in its decision.)

	Henry C. Maynard, Francis J. Patterson & Martin Patterson,	Appeal from the
194.	vs. Appellants,	Supreme Court
	W. C. Hill, J. Vance Lewis	of the Territory
	and John H. Flagg.	of Washington.

Monday, March 19th 1888, continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Dissenting:
Mr. Justice Gray and
Mr. Justice Matthews.

(Mr. Justice Bradley was not present at the argument of this cause and took no part in its decision.)

	Benjamin F. Bowerman, Ed Henry C. Bowerman,	In Error to the
187.	vs. Plffs. in Error,	Circuit Court
	William G. Rogers & Francis	of the United
	G. Welch, Assignees of	States for the
	Benjamin F. Burgess and	Southern Dis-
	Walter Burgess.	trict of New
		York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsels. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Miller.

The Western Union Telegraph Company,		Appeal from the Circuit Court
1335.	vs.	of the United
	Appellant,	States for the
The Attorney General of		District of
the Commonwealth of		
Massachusetts.		Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by

Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that so much of the decree of the said Circuit Court, in this cause, as finds the amount due for taxes to the State and orders it to be paid be, and the same is hereby affirmed, and so much of it as awards an injunction be, and the same is hereby, reversed and set aside; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

(Mr. Justice Bradley was not present at the argument of this cause and took no part in its decision.)

787. The United States, Appellant, vs. The San Jacinto Tin Company, The Riverside Canal Company and The Riverside Land & Irrigating Company. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Miller.

132. Theodore P. Bucher, Pltff. in Error, vs. The Cheshire Railroad Company and The Fitchburg Railroad Company — In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel.

On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Harlan
Mr. Justice Field.

70. William N. Tompkins, Appellant, vs. The Little Rock and Fort Smith Railway et al: Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Mr. Justice Blatchford did not sit in this

691.	William C. Williams. vs. The Little Rock, Missis-sippi River - Texas Railway et al.	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

(Mr. Justice Blatchford did not sit in this cause or take any part in its decision.)

698.	Howard D. Potts, vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

158. The United States, Appellant, vs. Gabey Burchard. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein not inconsistent with the opinion of this Court.

1332. Jabez Burchard vs. The United States. Appellant Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

10. Amos E. Dolbear, Francis H. Holmes and Henry B. Metcalf, vs. The American Bell Telephone Company. Appellants, Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by

Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

361. The Molecular Telephone Company et al., vs. The American Bell Telephone Company et al. and 362. The American Bell Telephone Company et al., vs. The Molecular Telephone Company et al.

Appellants,

Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed so far as it is against The American Bell Telephone Company on the fifth claim of the patent of January 30, 1877, and is affirmed in all other respects; costs in this Court to be paid by the Molecular Telephone Company et al; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with this decree and with the opinion of this Court.

per Mr. Chief Justice Waite.

Dissenting: Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

709. The Clay Commercial Telephone Company et al. vs. The American Bell Telephone Company & The Bell Telephone Company of Philadelphia. Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsels. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

The People's Telephone Company, Julius Roth, Julius Dien et al.,		Appeal from the Circuit Court of the United States for the Southern District of New York.
vs.	Appellants,	
The American Bell Telephone Company and The Metropolitan Telephone & Telegraph Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

The Overland Telephone Company, Robert G. Dun, Sylvanus C. Boynton et al.,		Appeal from the Circuit Court of the United States for the Southern District of New York.
1171.	vs. Appellants,	
The American Bell Telephone Company and The Metropolitan Telephone & Telegraph Company et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.
(Mr. Justice Gray was not present at the argument of this cause and took no part in its decision.)

	Morgan's Louisiana & Texas Railroad & Steamship Company,	Mr. Herbert B. Turner, of counsel for the Farmers Loan & Trust Company, submitted to the consideration of the Court a motion to advance these cases.
969.	vs. Appellant,	
	The Texas Central Railway Co. et al.	
	and	
	The Texas Central Railway Co.,	
974.	vs. Appellant,	
	Morgan's Louisiana & Texas Railroad & Steamship Company et al.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 20th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal.
James N. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that F. O. Clark, Esquire, of Marquette, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Southern Pacific Railroad Company,	In Error to the Supreme Court of the State of California.
261.	vs. Plff. in Error,	
	Daniel McCuster, Tillatta McCuster, his wife, Thomas Walker et al.	

This cause being called to the attention of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, Thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	The Southern Pacific Railroad Company,	In Error to the Supreme Court of the State of California.
262.	vs. Plff. in Error,	
	Daniel McCuster, Tillatta McCuster, his wife, Thomas Walker et al.	

This cause being called to the attention

of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

The Southern Pacific Railroad Company, vs. Plff. in Error, The County of Santa Clara. } In Error to the Supreme Court of the State of California.

259.

This cause being called to the attention of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	The Central Pacific Railroad Company	In Error to the
	vs.	Supreme Court of
760.	Plff. in Error,	the State of
	The County of Santa	California.
	Clara.	

This cause being called to the attention of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	The Southern Pacific Railroad Company,	In Error to the Supreme Court of the
	vs.	State of Cali-
489.	Plff. in Error,	fornia.
	The City of Los Angeles.	

This cause being called to the attention of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he

having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

The Central Pacific Railroad Company, vs. Plff. in Error, The United Nickel Company.

In Error to the Circuit Court of the United States for the Northern District of California.

751.

This cause being called to the attention of the Court by Mr. Creed Haymond, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	Silas C. Bains et al.,	On motion of
1152.	vs. Plffs. in Error,	Mr. W. A. Maury, in behalf
	Melissa P. Dodge et als.	of counsel, leave

is hereby granted the Clerk to issue the mandate in this cause.

	Joseph A. Jones and	Mr. James L. Pugh,
	Alfred M. Morgan,	Jr., of counsel for
1391.	vs Appellants	the appellee, having
	Edward Nichols.	filed in open Court
		the following cer-

tificate, to wit:

"Circuit Court of the United States
For the Northern District of Alabama.

I, A. W. McCullough, Clerk of the Circuit Court of the United States for the Northern District of Alabama, do hereby certify that in a certain cause pending in said Court wherein Edward Nichols was complainant and Joseph A. Jones and Alfred M. Morgan were defendants, a final decree was rendered by said Circuit Court on the first day of May A. D. 1885, in favor of said complainant and against said defendants,

and that on the 19th day of April, 1887, said defendants prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court at Huntsville, this 26th day of Feby., A. D. 1888.

(Seal)

A. W. McCullough
Clerk U. S. Circuit Court."

moved the Court to docket and dismiss this cause pursuant to the 6th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Alabama be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice. ——— per Mr. Justice Miller.

	Sarah C. A. Bards,	The motion to dis-
1088.	vs. Plff. in Error,	miss in this cause
	Alfred W. Lamb.	was submitted to

the consideration of the Court on the record and printed arguments by Mr. George G. Vest, in support of the same, and Mr. James Carr, in opposition thereto.

	The East Tennessee,	A further showing
	Virginia & Georgia	why this cause
	Railroad Company,	should not be dis-
107.	vs. Plff. in Error,	missed was sub-
	The Southern Tele-	mitted to the con-
	graph Co.	sideration of the

Court by Mr. Gaylord B. Clark, of counsel for the plaintiff in error, who argued in support of the same.

	William Pinkerton,	On motion of Mr.
385.	vs. Plff. in Error,	O. K. Garrett leave
	Ebidanio LeDoux.	is hereby granted

him to withdraw his appearance as counsel for the plaintiff in error in this cause.

166. The Glacier Mountain Silver Mining Company, vs. Plff. in Error, J. Frank Willis et al. — Mr. Walter H. Smith, of coun. sel for the plaint. iff in error, sub. mitted to the con. sideration of the Court affidavits as to the value of the matter in controversy in this cause.

467. Andre A. de la Mothe, vs. Appellant William Angus. — Appeal from the Circuit Court of the United States for the Southern Dis. trict of Illinois.

This cause being called to the attention of the Court by Mr. James H. Graham, of coun. sel for the appellant, and he having moved the Court to dismiss this cause, It is thereupon, in pursuance of said motion, now here or. dered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Justice Miller.

1366. The United States, vs. Appellant
William G. Weld et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. Samuel Shellabarger and Mr. G. M. Wilson, of counsel for the appellees.

970. Horatio N. Whitbeck, Treasurer &c., vs. Appellant,
The Mercantile National Bank of Cleveland, Ohio.

The argument of this cause was commenced by Mr. James Lawrence, of counsel for the appellant, continued by Mr. John C. Hale and Mr. W. W. Boynton, of counsel for the appellee, and concluded by Mr. Clarence Brown, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 21st 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Stevenson Burke it is ordered that J. B. McCracken, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas McDougall it is ordered that Mark D. Baldwin, Esquire, of

Caulding, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1360. Frank Ratterman, Treasurer &c., Appellant, vs. The Western Union Telegraph Company

1361. The Western Union Telegraph Company vs. Appellant Frank Ratterman, Treasurer &c.

These cases were argued by Mr. Lawrence Maxwell, Jr., of counsel for the Western Union Telegraph Company, and Mr. Thomas McDougall and Mr. David K. Watson, of counsel for Frank Ratterman, Treasurer &c.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 22nd, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph E. McDonald it is ordered that William Man, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Turley it is ordered

that W. F. Weatherford, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that A. Nelson Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

204. The United States vs. Appellant, The Marshall Silver Mining Co.

On motion of Mr. Assistant Attorney General Maury, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by consent of Counsel.

	Stephenson Waters, Adm^r. vs.,	On motion of
708.	vs. Appellant,	Mr. W. A. Maury, leave is here-
	John A. Buckner et al., and	by granted Thom. as J. Semmes
	John A. Buckner et al.,	to withdraw his
867.	vs. Appellants	appearance as
	Stephenson Waters, Adm^r. vs.	counsel for John A. Buckner, in his own right

and as tutor of his minor daughter Etheline in these cases.

	The St. Louis, Alton & Terre Haute Railroad Company.	This cause was argued
192.	vs. Appellant,	by Mr. John M. Butler, of
	The Cleveland, Columbus, Cincinnati & Indianapolis Railway Company.	counsel for the appellant, and Mr. Stevenson Burke and

Mr. John T. Dye, of counsel for the appellee.

John F. Hartranft, Collector &c., vs. Plf. in Error, Joseph H. Oliver & Son.

(Substituted for 194.)

190.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. Edward J. Perkins, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 23d 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Mr. Justice Miller said,

It is my very painful duty to announce to the Bar of this Court that its honored Chief Justice departed this life this morning at 6.30 o'clock. This is not the occasion to make any extended observations on the subject, which will be done in due time. The Court will adjourn until 12 o'clock on Monday, April 2d

Proclamation being made the Court is adjourned

Monday, April 2nd, 1888.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph E. McDonald it is ordered that Cyrus F. McNutt, Esquire, of Terre Haute, and William N. Judge, Esquire, of Evansville, State of Indiana, and Luther M. Dearborn, Esquire, of Aurora, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Campbell it is ordered that J. C. Bates, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. H. Poston it is ordered that Oscar R. Hundley, Esquire, of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that Joseph H. Blair, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. B. Henderson

it is ordered that F. W. Lehmann, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that George R. B. Hayes, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Washington Ice Company, Josiah H. Drummond and William E. Gould,	In Error to the Circuit Court of the United States for the District
150.	vs. Plffs. in Error,	of Maine.
	Nathaniel Webster.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Maine.

per Mr. Justice Blatchford.

272. John C. Spencer, vs. Plff. in Error, Caroline L. Merchant, Executrix of John Merchant, deceased. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. per Mr. Justice Gray.

Dissenting: Mr. Justice Matthews

	The Union Trust Company of New York and The St. Louis & Cairo Railroad Company,	Appeal from the Circuit Court of the United States for the Southern District of Illinois.
64.	vs. Appellants,	
	William T. Morrison.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

	D. H. Williams,	In Error to
105.	vs. Plff. in Error,	the Circuit
	Edward D. Conger, W. H.	Court of
	Smith, W. C. Talbert, Thomas	the United
	Harrison, James Sadler,	States for
	Henry E. Conger for himself	the Northern
	and as Executor and guardian,	District of
	Mary A. Conger, P. McCormick,	Texas.
	Charles C. Conger, Ralph E.	
	Conger and Newton A. Conger.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

	The State of Missouri ex rel: John R. Walker, vs. Plff. in Error, John Walker, State Auditor.	In Error to the Supreme Court of the State of Missouri.
910.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

	John F. Hartranft, Collector of Customs for the District of Philadelphia, vs. Plff. in Error, Joseph B. Sheppard, James M. Harrison and A. Maxwell Sheppard, lately trading as Sheppard, Harrison & Sheppard.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
911.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Miller.

Morgans Louisiana & Texas Railroad & Steamship Company, Appellant,
vs.
The Texas Central Railway Co. et al.
and
The Texas Central Railway Co., Appellant,
vs.
Morgan's Louisiana & Texas Railroad & Steamship Company et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be,

and the same is hereby, denied.

per Mr. Justice Miller.

166. The Glacier Mountain Silver Mining Company, vs. Plff. in Error
J. Frank Willis et al.

On consideration of the motion to vacate and set aside the judgment of dismissal entered herein on February 6th, 1888, and of the affidavits filed in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause restored to its place on the docket.

per Mr. Justice Miller.

Order.

It is ordered that the following allotment be made of the Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.

For the Second Circuit, Samuel Blatchford,
Associate Justice
For the Third Circuit, Joseph P. Bradley,
Associate Justice
For the Fourth Circuit, John M. Harlan,
Associate Justice
For the Fifth Circuit, Lucius Q. C. Lamar,
Associate Justice
For the Sixth Circuit, Stanley Matthews,
Associate Justice
For the Seventh Circuit, John M. Harlan,
Associate Justice
For the Eighth Circuit, Samuel F. Miller,
Associate Justice
For the Ninth Circuit, Stephen J. Field,
Associate Justice.

Morris S. Miller,
336. vs. Plff. in Error,
Alfred P. Edgerton et al.,
Commissioners &c.

On motion of Mr. F. H. Mackey, leave is hereby granted him to withdraw his appearance as counsel for the plaintiff in error in this cause.

337.	Richard A. Tilghman, vs. Appellant, William Proctor et all. And William Proctor et all., vs. Appellant, Richard A. Tilghman.	On motion of Mr. George Harding, of counsel for Tilghman, leave is hereby granted the Clerk to issue

the mandate in these cases.

160.	Francis Munson, vs. Appellant, The Mayor &c. of the City of New York et all. And The Mayor &c. of the City of New York et all., vs. Appellants Francis Munson.	On motion of Mr. A. E. Hindon Hyde, of counsel for the Mayor &c. of the City of New York et all., leave is hereby granted the Clerk to issue the mandate in these cases.
161.		
138.	The United States vs. Appellant, William L. Bailee, Adm'r &c.	This cause was submitted to the consideration of the Court, pursuant

to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. George A. King and Mr. J. G. Kimball, of counsel for the appellee.

Ex parte: In the matter of Simeon Coy et al., Petitioners, Appellants. 1395.

On motion of Mr. Cyrus F. McNutt, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, April 16th.

John J. Silmer et al., vs. Plffs. in Error, Richard T. Hennon. 1290.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. M. F. Morris, in support of the same, and Mr. Nathaniel Wilson,

	Julia A. Mutt, Executrix &c.,	This cause was sub-
1330.	vs. Appellant,	mitted to the consid-
	The United States.	eration of the Court,
		pursuant to the 20th
		rule, on the record

and printed arguments by Mr. M. F. Morris, of counsel for the appellant, and Mr. Attorney General Garland and Mr. N. J. May, of counsel for the appellee.

	Edward P. Ellis,	Appeal from the Cir-
374.	vs. Appellant,	cuit Court of the
	Alfred A. Freeman,	United States for the
	Marcus L. Freeman	Western District
	and Ernest Zeidler.	of Wisconsin.

This cause being called to the attention of the Court by Mr. R. D. Mussey, in behalf of counsel, and the authority of the appellant to dismiss this cause having been filed, It is thereupon, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

The Nashville, Chattanooga & St. Louis Railway,
1401. vs. Plff. in Error,
The State of Alabama.

Mr. O. J. Hundley, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Edward Batchelor,
1403. vs. Plff. in Error,
Samuel W. Kirkbride.

Mr. J. Hubley Ashton, of counsel for the defendant in error,

having filed in open Court the following certificate, to wit:

"Circuit Court of the United States
For the District of New Jersey.

I, J. D. Oliphant, Clerk of the said Circuit Court, do hereby certify that in a certain cause in said Court wherein Samuel W. Kirkbride was plaintiff and Edward Batchelor was defendant a final judgment was rendered by said Circuit Court on the 19th day of February, A. D. 1886, in favor of the said plaintiff and against the

said defendant, and that on the 24th day of March, A. D. 1886, said defendant sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court, at Trenton, this 23d day of March, A. D. 1888.

(Seal)

S. D. Oliphant,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of New Jersey be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded

in according to law and justice.
per Mr. Justice Miller.

William Rea et al.,
919. vs. Appellants
The Steamboat "Eclipse"
vs.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. G. Bigelow, in support of the same, and Mr. G. W. Guthrie, in opposition thereto.

The District of Columbia,
378. vs. Appellant,
William C. Murdock.
and
William C. Murdock,
379. vs. Appellant,
The District of Columbia.

These causes were submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. C. C. Cole and Mr. John C. Fay, of counsel for Murdock, and Mr. Attorney General Garland and Mr. Assistant Attorney General Howard,

1381. The United States vs. Appellant, Edward J. Strong.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. Linden Kent, of counsel for the appellee.

1384. The United States, vs. Appellant, Joseph C. Irwin et al.

and

1385. The United States, vs. Appellant, Charles A. Perry et al.

These cases were submitted to the consideration of the Court, pursuant to the 20th rule, on the records and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. William E. Earle and Mr. James L. Pugh Jr., of counsel for the appellees.

Charles H. Page
387. vs. Appellant,
The United States.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed argument by Mr. Allan Rutherford, of counsel for the appellant, and Mr. Attorney General Garland and Mr. H. J. May, of counsel for the appellee.

The United States,
388. vs. Appellant
The State of Louisiana.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland and Mr. H. J. May, of counsel for the appellant, and Mr. William C. Earle and Mr. James L. Pugh Jr., of counsel for the appellee.

The United States
389. vs. Appellant,
Asher C. Baker.

This cause was submitted to the consideration of the Court, pursuant to the 20th

rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. John Paul Jones and Mr. R. B. Kines, of counsel for the appellees.

195. Joel Johnson, vs. George Christian et al. Appellant, This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland and Mr. D. N. Reynolds, of counsel for the appellant, and Mr. U. M. Rose, of counsel for the appellees.

197. The Arkansas Valley Smelting Co., vs. The Belden Mining Company. (Pltff. in Error, This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. T. M. Patterson, Mr. C. E. Thomas and Mr. R. E. Morrison, of counsel for the plaintiff in error. No counsel

198. The United States, Appellant, vs. Clinton G. Colegate. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and Mr. Solicitor General Jenks, of counsel for the appellant, having moved the Court to dismiss this cause, it is thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Miller.

199. Clarence P. Hunt, Appellant, vs. Sallie S. Blackburn et al. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. J. B. Heistell, of counsel for the appellant. No counsel appeared for the appellees.

200. Dauton S. Morgan et als., vs. Plffs. in Error, Frederick Eggers. This cause was argued by Mr. Edward Foby, of counsel for the plaintiffs in error, and Mr. W. H. Watkins, of counsel for the defendant in error.

201. Nelson Lyon, vs. Appellant, The Perin & Daff Manufacturing Company. This cause was argued by Mr. William H. King, of counsel for the appellant. No counsel appeared for the appellee.

202. The Minneapolis & St. Louis Railroad Company, vs. Plff. in Error, Fred. G. Herrick. The argument of this cause was commenced by Mr. C. K. Davis, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 3d 1883.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

202 The Minneapolis & St. Louis Railroad Company, Plff. in Error, vs. Fred. T. Merrick.

The argument of this cause was concluded by Mr. Edward J. Hill, of counsel for the defendant in error.

	George Flower and Thomas Flower, Executors &c., et al.,	This cause was argued by Mr.
203.	vs. Appellants,	Edward J. Hill,
	The City of Detroit et al.	of counsel for the appellants, and

Mr. George L. Roberts, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 4th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Edwin F. Uhl, Esquire, of Grand Rapids, State of Michigan, and Cordenio A. Severance, Esquire, of St. Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Pierce Bell it is ordered that John E. Smith, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

205. Louis D. DeSaussure, Plff. in Error, vs. Peter C. Gaillard, Treasurer &c. This cause was argued by Mr. Joseph H. Earle, of counsel for the defendant in error, and submitted on printed arguments by Mr. Clarence A. Seward, Mr. Samuel Lord and Mr. J. M. Mordecai, of counsel for the plaintiff in error.

1147. John S. Tidd, Plff. in Error, vs. S. E. Pearson et al. This cause was argued by Mr. F. W. Lehmann, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. C. C. Cole, of counsel for the defendants in error.

Kelly v Alexander,
205. vs. Plffs. in Error,
The Mayor v Aldermen
of the Town of Milan.

The argument of this cause was commenced by Mr. Holmes Cummins, of counsel for the plaintiffs in error, and continued by Mr. Sparrel Hill, of counsel for the defendants in error, and Mr. J. B. Henderson, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 5th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John H. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

658. The United States, Appellant, vs. Frederick Frericks.

On motion of Mr. H. E. Paine, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

206. Kelly v Alexander, vs. Plffs. in Error, The Mayor and Aldermen of the Town of Milan.

On motion of Mr. Sparrel Hill, of counsel for the defendants in error, leave is hereby granted him to file a supplemental brief in this cause.

206. Kelly v Alexander, vs. Plffs. in Error, The Mayor and Aldermen of the Town of Milan.

The argument of this cause was concluded by Mr. J. B. Henderson, of counsel for the plaintiffs in error.

207. Exlein Norton, vs. Plff. in Error, The Mayor and Aldermen of the Town of Dyersburg, Tenn.

This cause was argued by Mr. D. M. Poston, of counsel for the plaintiff in error, and Mr. T. B. Turley, of counsel for the defendants in error.

208. Anna E. Cameron et al., Appellants vs. Asa Hodges et al. This cause was argued by Mr. D. H. Poston, of counsel for the appellants, and Mr. W. G. Weatherford, of counsel for the appellees.

209. Isaac Taylor et al., Appellants vs. Moses L. Holmes et al. The argument of this cause was commenced by Mr. Clarence R. Conger, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 6th 1883.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

209. Isaac Taylor et al., vs. Moses L. Holmes et al. Appellants

The argument of this cause was continued by Mr. Clarence A. Carger, of counsel for the appellants, and concluded by Mr. S. F. Phillips, of counsel for the appellees.

209. Isaac Taylor et als., vs. Appellants Moses L. Holmes et als.

On motion of Mr. Clarence R. Conger, of counsel for the appellants,

leave is hereby granted him to file within five days a supplemental brief in this cause.

210. The Peoria & Pekin Union Railway Company vs. Appellant, The Chicago, Pekin and Southwestern Railroad Company.

This cause was argued by Mr. Wager Swayne, of counsel for the appellant, and Mr. Thomas S. McClelland, of counsel for the appellee.

211. W. C. Kain, vs. Plff. in Error, & Mary & Nelson, Helen & Nelson, U. S. & Nelson, Charles & Nelson, T. A. R. & Nelson, J. & K. Cunningham & his wife & Alice, formerly & Alice & Nelson, Charles & McKee and his wife, formerly & Hallie & Nelson, et als., heirs of Thomas A. R. & Nelson, deceased.

In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Miller.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. April 9th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that William L. Aughinbaugh, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks

it is ordered that Walter Johnson, Esquire, of the State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas P. Fenlon it is ordered that W. B. Clarke, Esquire, of Junction City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. O. Claughton it is ordered that Herman A. Carmer, Esquire, of the State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. McGowan it is ordered that Edward Cahill, Esquire, of Lansing, State of Michigan, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that James Simons and B. H. Rutledge, Esquires, of the State of South Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

	The Yale Lock Manufacturing Company,	Appeal from the Circuit Court of the United States for the Southern District of New York.
162.	vs. Appellant,	
	Thomas L. James.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the

same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Frank E. De Wolf, Isabella
E. De Wolf and Horace M. Barnes,
vs. Appellants
Florence W. Hays

No. 268. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to dismiss the bill.

per Mr. Justice Gray.

William L. Powell,
vs. Plff. in Error,
The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

1303. May Walker, Junior, John H. Wilson, Emil Winter, Harvey Wilson and George Hasley,
vs. Plffs. in Error,
The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

190. John E. Hartranft, Collector of Customs for the District of Philadelphia, vs. Plff. in Error, Joseph M. Oliver and William Oliver, trading as Joseph M. Oliver & Son. — In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until

paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Field.

699. Gustavus C. Hopkins et al., vs. Pelts. in Error. John J. McClure, Admr &c. et al.

Ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause &c, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Justice Miller.

1219. The United States vs. Appellant. The American Bell Tele-phone Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second day of the next term.

per Mr. Justice Miller.

	The Nashville, Chattanooga & St Louis Railway,	On consideration of the motion to
401.	vs. Plff. in Error,	advance this
	The State of Alabama.	cause, It is

now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second day of the next term.

per Mr. Justice Miller.

	Clarence P. Hunt,	Appeal from the
99.	vs. Appellant,	District Court of
	Sallie S. Blackburn,	the United States
	Charles B. Blackburn	for the Eastern
	and W. P. Smith.	District of
		Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Miller.

107. The East Tennessee, Virginia & Georgia Railroad Company, Plff. in Error, vs. The Southern Telegraph Company. In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and on the rule on the plaintiff in error to show cause why the writ of error should not be dismissed, On consideration whereof, The Court being of opinion that sufficient cause has not been shown, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	William Rea et al.,	On considera-
219.	vs. Appellants	tion of the mo-
	The Steamboat "Eclipse" &c.	tion to dismiss
		or affirm in

this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Miller.

Mr. Justice Miller announced that that the Court would cease hearing arguments on May 4th and would adjourn for the term on May 11th.

	The Pacific National	The motion to
	Bank of Boston,	advance these
231.	vs. Plff. in Error,	cases was sub-
	Mary J. Galon.	mitted to the
	George L. Thayer, Trustee,	consideration
308.	vs. Plff in Error,	of the Court
	Peter Butler, Receiver &c.	by Mr. A. H.
		Ranney, in
	End	support of the

1309.	Peter Butler, Receiver &c., vs. Plff. in Error, Mary J. Eaton.	same, and Mr. J. H. Benton Jr., in opposition thereto.

1.	Francis Downs, Executor &c., vs. Appellant, Edward J. Hubbard, Adm^r &c.	On motion of Mr. B. F. Butler, of counsel for the

appellant, leave is hereby granted him to file a motion for an attachment against Leann S. King and Thomas J. Allen and their sureties on bonds given for costs in this cause.

1283.	The Western Air Line Construction Company vs. Plff. in Error, William A. McGillis et al.	The motion to vacate the supersedeas in this cause was submitted to

the consideration of the Court on the record and printed arguments by Mr. John S. Cooper, in support of the same, and Mr. E. Walker, in opposition thereto.

Ex parte: In the matter of W. S. Burdett et al., Petitioners. — Mr. W. P. Wells, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus and for a rule to show cause why said writ should not issue.

502. Evan Randolph, vs. The Quidnick Company et al. — Appellant. — Mr. M. F. Morris, in behalf of counsel for the appellees, suggested the death of Evan Randolph, the appellant in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties; Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Evan Randolph, deceased, as aforesaid, shall voluntarily becomes parties within the first ten days of the ensuing term of this Court the appellees shall be entitled to have this appeal dismissed; Provided, however, That a copy

of this order shall be printed in some newspaper of general circulation within the State of Rhode Island for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Edward Batchelor
1105. vs. Plff. in Error,
Samuel W. Kirkbride.

On motion of Mr. J. Hubley Ashton, of counsel for the defendant in error, leave

is hereby granted the Clerk to issue the mandate in this cause.

Reuben P. Cogrist et al.,
386. vs. Plffs. in Error,
William B. Crabtree.

The motion to dismiss in this cause was submitted to the consideration

of the Court on a printed argument by Mr. G. F. Zachry, in support of the same, and leave was granted Mr. O. D. Barrett to file on or before Monday next a printed argument in opposition thereto.

1112.	William Bressey et al., vs. H. Meyer et al.	Appellants, Mr. C. W. Hornor, of counsel, submitted to the consideration of the

Court a motion to advance this cause.

1077.	Alfred Marchand, vs. Plff. in Error, Josephine Adele Livandais.	The motion to dismiss in this cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. E. H. Farrar and Mr. E. B. Kruttschnitt, in support of the same, and Mr. C. W. Hornor and Mr. W. S. Benedict, in opposition thereto. Mr. C. W. Hornor also submitted a motion to amend the record in this cause.

166.	The Glacier Mountain Silver Mining Company, vs. J. Frank Willis et al.	Plff. in Error, This cause was submitted to the consideration of the Court on the record

and a printed argument by Mr. Walter H.

Smith, of counsel for the plaintiff in error. No counsel appeared on the submission for the defendants in error.

Mr. Attorney General Garland addressed the Court as follows:

At a recent meeting of the Bar and the officers of this Court, I was requested to present resolutions adopted by them respecting the late Chief Justice Waite, for the proper action of the Court thereon, and now in complying with that request I beg leave to read the resolutions.

"The Chief Justice of the United States has ended his career on earth.

He proved himself equal to all the duties which the title of his office imports.

It is fitting that the Bar of the Court, over which he presided so satisfactorily, should express their sense of the calamity that has visited the Court, the Bar in general and the whole country, therefore be it resolved:

I. That the Bar of the Supreme Court

of the United States recognize in the late Chief Justice a combination of qualities that peculiarly fitted him for the difficult and delicate duties of president of a great Court; that his ability as a judge, his strong sense of justice, and his firm but mild administration contributed to the public feeling of security and to the confidence that has made the Supreme Court the balance wheel of the Constitution; that they are grateful for the legacy of his noble and unsullied character adorned by traits that endeared him to all who came in contact with him; that he was a type of the highest product of our free institutions, always maintaining his official and personal dignity, yet always mindful that no one was too humble for his attention and regard; and that they will remember him as one who was an honor to his country and to the whole brotherhood of men.

II. That we tender to the family of the deceased our heartfelt sympathy.

III. That the Secretary is hereby requested to furnish the Attorney General of the United States with a copy of these proceedings with the request to present the same to the Supreme Court of the United States for such action thereon as the Court may deem proper.

IV. That the Chairman is hereby requested to transmit an engrossed copy of these proceedings to the family of the deceased".

In connection with these proceedings I wish to add a few observations by way of a personal testimonial to one I so highly esteemed.

Indeed this is an occasion for sad and solemn reflection on the part of this Court. It is but a few months since we testified to the worth and merit of Mr. Justice Woods, stricken down in the midst of great labor and pressing official duties, and now before his grave is green with the first grass of Spring. we are mourning the loss of the model Chief Justice - fallen before the same shaft - at

a time when all his attainments were needed in the work of this tribunal. Truly "it is a time for memory and for tears" in this chamber.

When the resolutions state, not by comparison, but directly and absolutely, that he was equal to the duties of his office of Chief Justice, in all that is implied in its title, what more can or need be said? That he filled such a place in fact is fame and glory enough in the minds of all people who are acquainted with our institutions and understand their workings. Coming to this post in 1874, when the country was still rocking in the throes of the terrible civil war of four years and more, when many vexed and disturbing questions of the first moment were crowding here for determination, at once he assumed his place with the ease and familiarity of a trained jurist fitted to preside. In his first opinion, (Talbot v. Merchants National Bank, 19 Wall.) we see the same plain, direct, clear, cogent and judicial

style that runs through his later utterances, and even characterizes his very last productions.

From this volume of Wallace to the coming 126 U. S. Reports inclusive - forty-one volumes - stand the monuments of his industry, ability and impartiality in this forum, and they will not fall to pieces at the touch of time.

I knew him well from almost the time he took his seat here, and from a close observation and study of him and this Court during that period, if ever the scales of justice wavered in his hand I did not discover it. With him as her personification justice can well be painted blind.

Literally was he absorbed in the obligations of his office - they were his study by day and by night. The accumulation of business upon the docket was oppressive to him - it was almost his skeleton at the door; scarcely did I ever meet with him that he did not have much to say on this subject and always with an

earnest expression of hope that something would be done for the relief of the Court.

With these burdens and cares upon him - calculated to the utmost to fret and annoy - yet he was mild, kind, patient. He has done his work well, whenever and wherever found, and for it he receives universal applause, not grudgingly but freely and cheerfully rendered. In the analysis of this work and of his character there will be discovered an inheritance his friends, his afflicted family and his country will cherish with gratitude and pride, and one that will not perish, but will become more precious as our government lives, and "grows in its growth and strengthens in its strength."

"Rich in saving common sense
And, as the greatest only are,
In his simplicity sublime."

Mr. Justice Miller responded as follows:

The Court receives with the deepest sensibility the resolutions of the Bar in regard to the death of the late Chief Justice,

and the remarks of the Attorney General in presenting them. We fully appreciate the great loss which the country, the Bar and the officers of the court have sustained by this sad event.

The blow falls, however, with more force upon the members of this Court, who, associated with him in the performance of its functions, have been accustomed to the benefit of his learning and of his ability in the discharge of the duties common to us all, for not only has he guided our pathway and lightened our labors by his experience, his skill and his practical tact, but with an urbanity and kindliness of heart rarely if ever excelled he has won our affections and attached us to himself; so that while we sympathize in the public loss, each also feels the sorrow of the final separation from a special friend.

Chief Justice Waite came to the Court in the prime of life, with a vigorous constitution, trained in the ways of the law and the courts, by a long and successful practice, and was at once recognized as a man with

faculties which fitted him for presiding over this high tribunal. As to his character, his work and the impression which he made upon the public, we concur in the remarks made by the Attorney General. The results of his labors are seen in the forty one volumes of the reports of the decisions of this Court, from 19th Wallace to 126th United States inclusive. In the opinions delivered by him contained in those volumes will be found the strongest evidence of his industry and his capacity as a judge. His style was eminently judicial, terse, vigorous and clear. No one who reads them ever doubts what is meant or what the Court decided. They will stand as his highest claim to the gratitude of his country and a monument to his diligence and ability.

It has been said by eminent judges with something of regret, that however important their services, however valuable their decisions and opinions, they are, as compared with other public servants and public men, withdrawn from observation. But the influence of a great

judge, like the late Chief Justice, embodied in the reports of a court of high character, will be felt as establishing rules of conduct and for the decision of important questions, and will be commented upon and appreciated by a large class constituting a learned profession long after contemporary addresses or public efforts of whatever character shall have passed into forgetfulness. To one desirous of posthumous fame this connection of a distinguished judge with the principles which the courts have laid down as rules governing the rights of persons and property, and the powers of government over the citizen, must always present a sufficient compensation for the absence of public applause accompanying the discharge of his judicial duties.

Beside these high functions of the office of Chief Justice, it would be unjust to him to omit our testimony to the eminent skill, courtesy and tact with which he discharged those minor duties which devolved upon him as the presiding officer of the Court. He was endowed by nature with qualities rarely combined in the same

individual, of steadiness and firmness in action, and courtesy and consideration toward all with whom that action brought him in contact. The oldest members of this Court know of no one who was better fitted to discharge the administrative duties of the office of its Chief Justice, or who ever did so with more acceptability to his associates and to the public at large.

Since we must all die, it may perhaps be said of Chief Justice Waite that the inevitable event came to him in a manner as near to what one could have desired it to come as was possible. Up to within a week of his death he was in the most vigorous health and actively engaged in the discharge of his official duties. On the morning of Monday the 19th day of March last, the Court met after a recess of four weeks. He was present and had an opinion ready for delivery in one of the most important causes decided while he was upon the bench, the great Bell telephone suits, which had been before the Court for a year. During the

recess he had written the opinion of the Court, but upon the morning of its meeting, feeling slightly unwell, he requested one of the junior justices to read it for him. This occupied nearly two hours, thus showing the immense amount of labor he had bestowed upon its preparation during this interval which the public supposed was one of recreation for the justices of the Court. As soon as the opinion was read the Chief Justice returned home and went to that bed from which he never again rose. After an illness of four days, in which his suffering was not very great, on the morning of Friday, the 23d day of March, at half past six, being assisted to turn over in his bed he said with apparent satisfaction, "I feel better." He then asked for a drink; the nurse stepped away a moment in the same room to get a glass of water and when she returned to the bed he was dead.

Thus, without a long or painful illness, without a struggle, in the midst of his usefulness, and just at the conclusion

of what was one of the ablest and most important judicial decisions of his life, he passed away. Who does not wish, when his own end shall come that it may be like this.

The resolutions of the Bar just presented to us with the remarks of the Attorney General will be placed upon the records of the Court.

I have also received resolutions adopted by the Senate of the State of Ohio, the State from which the Chief Justice was appointed to this Court, expressive of their admiration and sense of the great loss. They will also be spread upon the records.

68th General Assembly
Regular Session.

S. R. No. 64.

Mr. Morley.

Resolution.

Whereas:

Tidings of the sudden death at six o'clock this morning of that eminent and profound jurist M. R. Waite, Chief

Justice of the Supreme Court of the United States, has been received, therefore, be it

Resolved:

By the Senate of the State of Ohio:

That we tender to the bereaved family our heartfelt sympathy, and that out of respect for the memory of the deceased the flag of the Senate be placed at half-mast during the day, and that the Senate do now adjourn.

Resolved:

That the President of the Senate be requested to forward copies of the foregoing to the family of the deceased, and to the Supreme Court of the United States.

Order.

It is ordered by the Court that all proceedings in relation to the death of the late Chief Justice which may be received by the Clerk be placed on the files of the Court.

James A. Robinson, Caroline H. Robinson, his wife, & Eugenie Hawes, Executrix of Horace Hawes, deceased,

212. vs. Plffs. in Error,

James G. Fair.

Mr. G. C. Bates, of counsel for the plaintiffs in error, suggested the removal of Eugenie Hawes as Executrix, and the appointment of J. B. Schroeder, Jr., as Administrator with the will annexed of Horace Hawes, deceased, and moved the Court to make the said J. B. Schroeder Jr., as Administrator, as aforesaid, a party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that J. B. Schroeder, Jr., as Administrator with the will annexed of Horace Hawes, deceased, be, and he is hereby, made a party plaintiff in error in this cause.

Monday. April 9th 1888. continued.

312. James A. Robinson et all., vs. Phipps. in Error, James G. Fair.

The argument of this cause was commenced by Mr G. Co. Bates. of counsel for the plaintiffs in error, and continued by Mr. E. M. Wilson, of counsel for the defendant in error, and Mr. John A. Campbell. of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Tuesday, April 10th 1883.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Green B. Raum it is ordered that Joseph Kirtland, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

212. James A. Robinson et als., Plffs. in Error vs. James G. Fair. The argument of this cause was concluded by Mr. John A. Campbell, of counsel for the plaintiffs in error.

213. Benjamin Lawrence et als., Plffs. in Error, vs. Edwin A. Merritt, late Collector &c. This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiffs in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

216. Andrew Gleason, Appellant, vs. The District of Columbia. The argument of this cause was commenced by Mr. Vedanius B. Edwards, of counsel for the appellant, continued by Mr. F. P. Dewees, of counsel for the appellee, and concluded by Mr. Eppa Hunton, of counsel for the appellant.

Emma J. Blacklock et al., Appellants,
vs.
Jacob Small et al.

The argument of this cause was commenced by Mr. B. H. Rutledge, of counsel for the appellants, and continued by Mr. James Simons, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 11th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices.

John H. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1049. Nathaniel D. Moore and Helen Moore, vs. Christina Crawford et al. Appellants,

Mr. Dan. H. Ball, of counsel for the appellants, suggested the death of Helen Moore, one of the appellants in this cause, and moved the Court to make Nathaniel D. Moore, Junior, sole heir at law of the said Helen Moore, by his guardian Nathaniel D. Moore, and

John McKay, Administrator of the estate of the said Helen Moore, parties appellants in this cause. Whereupon, It is now here ordered by the Court that Nathaniel D. Moore, Junior, sole heir at law of Helen Moore, deceased, by his guardian, Nathaniel D. Moore, and John McKay, Administrator of the estate of Helen Moore, deceased, be, and they are hereby, made parties appellants in this cause.

Emma J. Blackloch et al., vs. Jacob Small et al.

'48. Appellants,

The argument of this cause was continued by Mr. James Simons and Mr. Samuel Lord, of counsel for the appellees, and concluded by Mr. B. H. Rutledge, of counsel for the appellants.

Wednesday, April 11th 1888, continued.

William C. Culbertson, The argument of
vs. Writ in Error, this cause was
The H. Witbeck Company. commenced by
Mr. Walter H.

Smith, of counsel for the plaintiff in error, continued by Mr. Edward Cahill, of counsel for the defendant in error, and concluded by Mr. Dan H. Ball, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 12th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Joseph A. Osborne, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

219.	Henrietta C. Keller, Appellant, vs. Isabella W. Ashford, Executrix &c.	On motion of Mr. Calderon Carlisle, of counsel for the appellee, It is ordered by the

Court that this cause be, and the same is hereby, continued until the next term, by agreement of counsel.

107.	The United States Appellant, vs. George E. Hendee.	On motion of Mr. R. B. Lines, of counsel for the appellee, leave is hereby granted the Clerk

to issue the mandate in this cause.

218	The Missouri Pacific Railway Company, Plff. in Error, vs. Patrick Mackey.	This cause was argued by Mr. John F. Dillon, of counsel for the plaintiff in error,

and Mr. Thomas P. Fenlon, of counsel for the defendant in error.

220. John S. Perry and Grange Card, Junior, Trustees &c., vs. The Equitable Co-operative Foundry Company, Nicholas Brayer and Edward W. Peck. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

221. Richard N. Porter, vs. Stephen V. White. Appellant, The argument of this cause was commenced by Mr. J. J. Johnson, of counsel for the appellant, continued by Mr. Stephen V. White, in propria persona.

and concluded by Mr. S. S. Hamble, of counsel for the appellant.

923. Morton, Mayor, Auditor &c., vs. The Baltimore & Ohio Railroad Company. Appellant. This cause was argued by Mr. Hugh W. Sheffey and Mr. John K. Cowen, of counsel for the appellee, and submitted on a printed argument by Mr. K. H. Myers, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 13th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas B. Reed it is ordered that Harry R. Virgin, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Solicitor General Jenks it is ordered that Philip Malone, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1399. The United States, vs. Pfaff. Joseph W. Facher. Mr. Solicitor General Jenks, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1224. Talmadge E. Brown, Appellant, vs. The District of Columbia. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C.C. Cole and Mr. Fillmore Beall, of counsel for the appellant, and Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellees.

225. James Fornerook, vs. Appellant, Amos G. Root. This cause was argued by Mr. W. P. Wells, of counsel for the appellant, and Mr. Joseph A. Osborne and Mr. M. D. Leggett, of counsel for the appellee.

226. George C. Richardson et al., vs. Appellants, Charles B. Day et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Flowers, of counsel for the appellants, and Mr. E. D. Puterbaugh and Mr. H. B. Hopkins, of counsel for the appellees.

227. The Anderson Twine Company, vs. Plff. in Error, Joseph C. Todd. In Error to the Circuit Court of the United States for the Northern District of Ohio.

This cause being called for hearing in its regular order, and a stipulation

dismiss this cause having been filed. It is thereupon, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

Martha Colton,
228. vs. Appellant,
Ellen M. Colton.
and
Abigail R. Colton
229. vs. Appellant,
Ellen M. Colton.

Appellees.

The argument of these cases was commenced by Mr. Sherman Evarts, of counsel for the appellants, and continued by Mr. George R. B. Hayes, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. April 16th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Emory B. Sellers, Esquire, of Monticello, State of Indiana, and Lexiah W. Bliss, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Elliott E. Stevenson, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that William G. Hill, Esquire, of Upper Marlboro, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1366. The United States, Appellant, vs. William E. Weld, Frederick Baker and George W. Weld, surviving partners of William F. Weld & Company. — Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of

Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

201. Nelson Lyon, vs. The Perin & Gaff Manufacturing Company. Appellant. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

	Joel Johnson,	Appeal from the Cir-
192.	vs. Appellant,	cuit Court of the United
	George Christian and	States for the Eastern
	Jerry Stuart.	District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice Blatchford.

Decree announced May 14

	Charles H. Page,	Appeal from the
1387.	vs. Appellant,	Court of Claims.
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

The United States, Appellant, vs. Asher C. Baker. 394. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

R. T. Dow, Watson Matthews and Charles Moran, Plffs. in Error, vs. J. W. Beidelman. 001. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

192. The St. Louis, Alton & Terre Haute Railroad Company, vs. Appellant, The Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, John N. Devereux, Receiver of the Indianapolis & St. Louis Railroad Company, and The Pennsylvania Railroad Company.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

Julia A. Hutt, Executrix of Haller Hutt, deceased, Appellant, vs. The United States. Appeal from the Court of Claims.

380.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Matthews.

	The United States,	Appeal from the
1381.	vs. Appellant,	Court of Claims.
	Edward J. Strong.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Matthews.

	Dayton S. Morgan 2nd	In Error to the
	E. Ashley Smith,	Circuit Court
200.	vs. Plffs. in Error,	of the United
	Frederick Eggers.	States for the
		District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now

here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

306. Atterson W. Rucker, vs. Peff. in Error, Jerome B. Wheeler. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

	Sarah C. R. Bards,	In Error to the
1088.	vs. Plff. in Error,	Supreme Court of
	Alfred W. Lamb.	the State of
		Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on a motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	J. P. Mora, John A. Harralson,	Appeal from
	A. C. Carlton, William Lineberger,	the Circuit
	Mahlon Thom 2nd Mary Thorn,	Court of the
176.	vs. Appellants,	United States
	Rudolph Steinbach and	for the
	Horace W. Carpentier.	District of
		California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Field.

1077. Alfred Marchand, Plff. in Error, vs. Josephine Adele Livandais. On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

Ex parte: In the matter of H. S. Burdett et al. Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

1397. The United States vs. Joseph W. Lachers. Plaintiff, On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, April 23d.

per Mr. Justice Miller.

1112. William Cressey et al., vs. H. Meyer et al. Appellants, On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

1231. The Pacific National Bank of Boston, vs. Plff. in Error, Mary J. Ealon.

1308. George L. Thayer, Trustee, vs. Plff. in Error, Peter Butler, Receiver &c.

and

1309. Peter Butler, Receiver &c., vs. Plff. in Error, Mary J. Ealon.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Jus. tice Miller.

386. Reuben P. Segrist et al., vs. Plffs. in Error, William B. Crabtree.

On consideration of the motion to dismiss in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

1883. The Western Air Line Construction Co., vs. Plff. in Error, William A. McGillis et al.

On consideration of the motion to vacate the Supersedeas in this cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

1149. William E. Asher, vs. Plff. in Error, The State of Texas.

Mr. Abel Crook, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1. Francis Downs, Executor &c., vs. Appellant. Edward S. Hubbard, Adm'r &c.

Mr. B. F. Butler, of counsel for the appellant, submitted to the consideration of the Court a motion for an attachment against Leann S. King and Thomas J. Allen and their sureties on certain bonds

given for costs in this cause. Leave was granted counsel to file on or before Monday next a reply to said motion.

111. W. M. Lent et al., vs. Plffs. in Error, Charles Tillson, Tax Collector vs.

Ordered by the Court that the submission of the motion to dismiss in this cause be postponed until Monday next.

467. Andre N. de La Motte, vs. Appellant, William Angus.

On motion of Mr. James H. Graham, of counsel for the appellant, It is ordered that the judgment of dismissal entered herein on March 20th., 1888, be, and the same is hereby, vacated and set aside and the cause restored to the docket.

Monday, April 16th 1828, continued.

	Martha Colton,	The argument of these
228.	vs. Appellant,	cases was continued
	Ellen M. Colton.	by Mr. George R. B.
	and	Hayes, of counsel for
	Abigail C. Colton,	the appellee, and
229.	vs. Appellant,	concluded by Mr.
	Ellen M. Colton.	William M. Evarts,
		of counsel for the
		appellants.
	Ex parte: In the matter	The argument of this
	of Simeon Coy et al.	cause was commenced
1395.	Appellants.	by Mr. Cyrus F.
		McCutt, of counsel

for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 17th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Eustace Gibson, Esquire, of Huntington, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The United States,	On motion of Mr.
1030.	vs. Plff. in Error,	J. K. McCammon,
	Clement Hugh Hill et al.	in behalf of coun-
		sel for the defend-

ants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

	Bryant Mahon,	Mr. Eustace Gib-
1411.	vs. Appellant,	son, of counsel for
	Abner Justice, Jailor &c.	the appellant, sub-
		mitted to the con-

sideration of the Court a motion to advance this cause.

	Ex parte: In the matter	The argument of
	of Simeon Coy et al.,	this cause was
1395.	Appellants.	continued by
		Mr. Emory B.

Sellers, of counsel for the United States, by Mr. Daniel W. Voorhees, of counsel for the appellants, and Mr. Attorney General Garland, of counsel for the United States, and concluded by Mr. Cyrus F. McNutt, of counsel for the appellants.

The Freedmans Savings & Trust Co.,
230. vs. Appellant,
Alexander R. Shepherd et al.

and

Alexander R. Shepherd
256. vs. Appellant,
John W. Thompson.

The argument of this cause was commenced by Mr. William F. Mattingly, of counsel for Shepherd, and continued by Mr. Enoch Totten, of counsel for the Freedmans Savings & Trust Company, and Mr. N. H. Wells, of counsel for Thompson.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 18th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Carlos E. Warner, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Preston B. Plumb it is ordered that George W. Co. Shutter, Esquire, of St. John, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that John J. Malone, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ryant Mahon,
vs. Appellant,
Sheriff Justice, Jailor.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday the 23d instant after No. 1399.

The Freedmans Savings & Trust Co.,
230. vs. Appellant
Alexander R. Shepherd et al.

and

Alexander R. Shepherd.
256. vs. Appellant
John W. Thompson.

The argument of these cases was continued by Mr. M. F. Morris, of counsel for Thompson, and concluded by Mr. Enoch Totten, of counsel for the Freedmans Savings & Trust Company.

Josiah W. Lynch and Peter Lynch,
731. vs. Plffs. in Error,
R. Snowden & Andrews.

In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause

be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	The Bell Telephone Company of Missouri,	In Error to the Circuit Court of the United States for the Eastern District of Missouri.
232.	vs. Plff. in Error,	
	The State of Missouri ex rel: The Baltimore & Ohio Telegraph Company.	

This cause being called for hearing in its regular order, and the authority of the plaintiff in error to dismiss this cause having been filed, It is, thereupon, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

233. The United States, Plff. in Error, vs. John F. Broadhead et al.

and

234. The United States Plff. in Error, vs. John F. Broadhead et al.

These cases were argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

235. Henry O. Jones and John Gott, vs. Appellants, Walter Craig.

This cause being called for hearing in its regular order and a stipulation of counsel for the respective parties suggesting the death of Henry O. Jones, one of the appellants herein, and agreeing that George Barker, Administrator of the said Henry O. Jones, should be made a party appellant having been filed. It is, therefore, in pursuance of said stipulation, now here ordered by this Court that George Barker, Administrator of Henry O. Jones, deceased, as aforesaid, be, and he is hereby, made a party appellant in this cause.

Wednesday, April 18th 1888, continued.

George Barker, Adm^r. of Henry O. Jones, deceased, et al.
235. vs. Appellants,
Walter Craig.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George E. Pritchett, of counsel for the appellants, and Mr. W. J. Connell, of counsel for the appellee.

Edwin A. Kenney, Albert Kleinschmidt and Reinhold Kleinschmidt,
236. vs. Plffs. in Error,
Richard A. Eddy, Andrew B. Hammond and Edward L. Bonner.

In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of

error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

237. Jenas B. Robbins, Appellant vs. Clarence H. Clark, Executors and Trustees of Edward A. Rollins, deceased.

and

861. Clarence H. Clark et al., Executors &c., Appellants vs. Jenas B. Robbins.

The argument of these cases was commenced by Mr. H. H. Wells, of counsel for Clark et al., Executors &c., and continued by Mr. John Selden, of counsel for Robbins.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 19th, 1883.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. C. P. Breckinridge it is ordered that F. G. Morris, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George Denson,
vs. Appellant,
M. T. McMahon, U. S.
Marshal, et al.

On motion of Mr. Roger M. Sherman, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, April 30th.

On motion of Mr. Roger M. Sherman, It is ordered that Mr. E. Mallet-Prevost, counsel for the government of Mexico, be allowed to appear and make an argument in this cause.

23.

Jonas C. Robbins,
vs. Appellant.
Clarence H. Clark et al.,
Executors and Trustees of
Edward H. Rollins, dec'd.
and
Clarence H. Clark et al.,
Executors &c.
vs. Appellants,
Jonas C. Robbins.

8 & 1.

The argument of these cases was continued by Mr. John Selden and Mr. George F. Edmunds, of counsel for Robbins, and concluded by Mr. Samuel Shellabarger,

of counsel for Clark et al., Executors &c.

238. The Chicago, Milwaukee & St. Paul Railway Co., Appellant, vs. The United States. This cause was argued by Mr. John F. Farnsworth, of counsel for the appellant, and Mr. Assistant Attorney General Howard, of counsel for the appellee.

239. John Calhoun, Receiver, et als., Plffs. in Error, vs. George Alfred Lanaux. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph P. Hornor, of counsel for the plaintiffs in error, and Mr. B. F. Jonas, of counsel for the defendant in error.

240. George B. Cornell, Appellant, vs. Paul Weidner. This cause was argued by Mr. J. W. Merriam, of counsel for the appellant, and Mr. George H. Lothrop, of counsel for the appellee.

241. Frederick Locber, vs. Plff. in Error, Charles D. Wykoff. In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Miller.

242. John C Noyes, vs. Appellant, Lee Mantle et al. This cause was argued by Mr. S. S. Burdett, of counsel for the appellees, and submitted on a printed argument by Mr. Thomas L. Clapton, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 20th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar.

Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Russell Sage,
26. vs. Appellant,
The Memphis & Little Rock Railroad Co. (as reorganized).
and
The Memphis & Little Rock R.R. Co. (as reorganized),
27. vs. Appellant
Russell Sage.

On motion of Mr. W. G. Pierce Jr., of counsel, leave is hereby granted the Clerk to issue the mandate in these cases.

243. Gustav 2d Arnold Falk, vs. Plffs. in Error, George Mocbs. This cause was argued by Mr. Carlos C. Warner, of counsel for the plaintiffs in error, and Mr. Elliott L. Stevenson, of counsel for the defendant in error.

244. J. Hairston Seawall et al., vs. Plffs. in Error, Jacob H. Haymaker. This cause was argued by Mr. C. B. Matthews, of counsel for the plaintiffs in error. No counsel appeared for the defendant in error.

245. Robert P. Duff et al., vs. Appellants, The St. Louis Wooden Ware Works et al. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon,

in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Miller.

James Mosher,
246 vs. Plff. in Error,
The St. Louis, Iron Mountain & Southern Railway Co.

This cause was argued by Mr. Wins. Low S. Pierce, Jr., of counsel for the defendant in error, and submitted on a printed argument by Mr. Clinton Rowell, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 23d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Proctor Knott it is ordered that W. P. Faulkner, Esquire, of Salyersville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin B. Smith it is

ordered that Benjamin Barker, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. S. Henkle it is ordered that Isaac N. Ford, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Henry Smyth it is ordered that Tilton Davis, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Kelly and Alexander,
205. vs. Plffs. in Error,
The Mayor and Aldermen
of the Town of Milan.

In Error to the
Circuit Court of
the United States
for the Western
District of Ten.

nessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and was argued by counsels. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Erlein Norton,
vs. Plff. in Error,
The Mayor &c Aldermen of the Town of Dyersburg, Tennessee.

In Error to the Circuit Court of the United States for the Western District of Tennessee.

204.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsels. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is

hereby, affirmed with costs.

per Mr. Justice Blatchford.

The United States, Appellant, vs. The State of Louisiana. Appeal from the Court of Claims.

1888.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to enter a judgment in favor of the United States.

per Mr. Justice Blatchford.

	Emma J. Blacklock, Mary Blacklock and Helen R. Blacklock,	Appeal from the Circuit Court of the United States for the District of South Carolina.
148.	vs. Appellants,	
	Jacob Small and Alexander Robertson.	

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellants; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill for want of jurisdiction, without costs of that Court.

per Mr. Justice Blatchford.

225. James Fornerook, vs. Amos B. Root. Appellant, — Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

210. The Peoria & Pekin Union Railway Company, vs. The Chicago, Pekin & Southwestern Railroad Company. Appellant, — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

103. Franklin C. Smith, Appellant, vs. The Board of County Commissioners of Bourbon County, Kansas, and Bourbon County, Kansas. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause dismissing the bill generally be, and the same is hereby, reversed,

costs in this Court to be paid by the appellant; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the directions contained in the opinion of this Court.

per Mr. Justice Matthews.

Morton Marye, Successor to S. Brown Allen, Auditor of Public Accounts of the State of Virginia, Appellant,
223. vs.
The Baltimore & Ohio Railroad Company.

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

384. The United States, Appellants, vs. Joseph C. Irwin and James T. Thornton, surviors of the firm of J.C. Irwin & Co. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Matthews.

385. The United States, Appellant, vs. Charles L. Perry, Elias N. Perry & John D. Harper, of the firm of Charles L. Perry & Co. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Matthews.

The Missouri Pacific Railway Company, Plff. in Error, vs. Patrick Mackey. } In Error to the Supreme Court of the State of Kansas.

218.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

202. The Minneapolis & St. Louis Railway Company, Plff. in Error, vs. Fred. G. Merriek. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

213. Benjamin Lawrence and Phineas Lawrence, Plffs. in Error, vs. Edwin A. Merritt, late Collector of the Port of New York. In Error to the Circuit Court of the United States for the Southern District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Andrew Gleason, Appellant, vs. The District of Columbia. Appeal from the Court of Claims.

216.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Miller.

	Horatio A. Whitbeck, as Treasurer of Cuyahoga County, Ohio,	Appeal from the Circuit Court of the United States for the Northern District of Ohio.
770.	vs. Appellant,	
	The Mercantile National Bank of Cleveland, Ohio.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

	The United States,	
1886.	vs. Appellant,	Appeal from the Court of Claims.
	William L. Bailee, as Administrator of the estate of Thomas J. Tamdin, deceased.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. the Court being equally divided in opinion, On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

The District of Columbia,
348. vs. Appellant,
William C. Murdock. Appeals from the
and Court of Claims.
William C. Murdock,
349. vs. Appellant,
The District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in

this cause be, and the same is hereby, affirmed.

William E. Asher, o.s. Plff. in Error, The State of Texas. 1140. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second day of the next term.

per Mr. Justice Miller.

Anna E. Cameron et al., o.s. Appellants Asa Hodges et al. 208. On motion of Mr. J. B. Heiskell, of counsel for the appellees, leave is hereby granted him to file a printed brief in this cause on the question of jurisdiction.

John M. Francis, o.s. Appellant. The United States. 1414. Mr. George A. King, of counsel for the appellant, submitted to the consideration

of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause, which was opposed by Mr. Attorney General Garland, of counsel for the appellee.

W. H. Lent et al's.,
1111. vs. Pffs. in Error,
Charles Gibson, Tax
Collector &c.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hall McAllister, in support of the same, and Mr. William M. Stewart, in opposition thereto.

Francis Downs, Executor &c.
1. vs. Appellant,
Edward J. Hubbard, Admr. &c.

The motion for an attachment against Leann S. King and Thomas J. Allen and their sureties on certain bonds given for costs in this cause was argued by Mr. C. W. Horner, in opposition thereto, and Mr. B. F. Butler, in support of the same.

1390. The United States, Plaintiff, vs. Joseph W. Locher. This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff, and Mr. Benjamin Barker, Jr., of counsel for the defendant.

1411. Bryant Mahon, Appellant, vs. Abner Justice, Sailor &c. The argument of this cause was commenced by Mr. Eustace Gibson, of counsel for the appellant, and continued by Mr. J. Proctor Knott, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 24th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Z. B. Vance, it is ordered that Theodore F. Davidson, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Slyant Mahon,	The argument of this
141.	vs. Appellant,	cause was contin-
	Abner Justice, Jailor &c.	ued by Mr. J.
		Proctor Knott, of

Counsel for the appellee, and concluded by Mr. Eustace Gibson, of counsel for the appellant.

	Peter H. Mellon,	Appeal from the Cir-
147.	vs. Appellant,	cuit Court of the
	The Smith-Davis	United States for
	Manufacturing	the Eastern District
	Company et al.	of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

248. The Mosler Safe & Lock Co., vs. Appellant, Mosler, Bahman & Co.

The argument of this cause was commenced by Mr. George J. Murray, of counsel for the appellant, and continued by Mr. James Moore, of counsel for the appellees, and Mr. George J. Murray, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 25th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph E. Brown it is ordered that W. T. Turnbull and Frank A. Arnold, Esquires, of Atlanta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Mitchell it is ordered that John R. Coriles, Esquire, of Union, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Oregon Railway & Navigation Company, vs. Pltff. in Error, The Oregonian Railway Co., Limited. 27 S.

On motion of Mr. George F. Edmunds, of counsel for the defendant in error, It is ordered by the Court that this cause be heard in the place of No. 268 and vice versa, by consent.

129. The Pacific Nat'l Bank of Boston vs., Pltff. in Error, vs. George Nixler.

130. The Pacific Nat'l Bank of Boston vs., Pltff. in Error, vs. Henry M. Whitney.

439. Peter Butler, Receiver vs., Appellant, vs. Lewis Coleman et al.

440. The Pacific Nat'l Bank of Boston vs., Pltff. in Error, vs. D. L. Demmon.

On motion of Mr. H. L. Dawes, in behalf of counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

248. The Mosler Safe & Lock Co. vs. Mosler, Bahman & Co. Appellant, The argument of this cause was concluded by Mr. George J. Murray, of counsel for the appellant.

249. John Holland, vs. Morris S. Shipley et al. Appellant, This cause was argued by Mr. George J. Murray, of counsel for the appellant, and submitted on a printed argument by Mr. Edward Boyd and Mr. E. E. Wood, of counsel for the appellees.

250. Henry Herrman et al., vs. Chester A. Arthur, late Collector vs. Plffs. in Error, This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiffs in error, and Mr. Solicitor General Jenks, of counsel for the defendant in error.

251. Harriet Brown, vs. Appellant, The Guarantee Trust and Safe Deposit Company.

and

252. Richard Wood et al., vs. Appellants, The Guarantee Trust and Safe Deposit Company.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. M. L. Willard, of counsel for the appellants, and Mr. James L. High, of counsel for the appellee.

253. The Farmers Loan & Trust Company et al., vs. Appellants, Henry L. Newman, Trustee.

The argument of this cause was commenced by Mr. P. Henry Smyth, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 26th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. M. Marquett it is ordered that Esham Reavis, Esquire, of Falls City, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1108. Laura E. French, vs. Plff. in Error, Moses Hopkins et al. On motion of Mr. W. M. Stewart, in behalf of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

250. Henry Herrman et al., vs. Plffs. in Error, Chester A. Arthur, late Collector of the Port of New York. Mr. Assistant Attorney General Maury suggested the death of Chester A. Arthur, Collector &c., the defendant in error in this cause, and moved the Court to make Charles E. Miller and Daniel G. Rollins, as Executors of the said Chester A. Arthur, the parties defendants in error in this cause. Whereupon, It is now here ordered by the Court that the said Charles E. Miller and Daniel G. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York, &c, and they are hereby, made the parties defendants in error in this cause.

Thursday, April 26th 1888, continued.

	Clarence P. Hunt,	Mr. J. B. Heistell
197	vs. Appellant,	of counsel for the
	Sallie S. Blackburn et al.	appellant, sub-
		mitted to the con-

sideration of the Court a motion to vacate the decree of dismissal entered herein on the 9th instant and to restore the cause to the docket.

	The Farmers Loan & Trust	The argument
	Company et al.,	of this cause
253.	vs. Appellants	was continued
	Henry L. Newman, Trustee.	by Mr. P. Henry
		Smyth, of coun-

sel for the appellants, and Mr. Tilton Davis and Mr. John W. Noble, of counsel for the appellees, and concluded by Mr. P. Henry Smyth, of counsel for the appellants.

	Robert E. Jenkins, Assignee &c.,	This cause
254.	vs. Plff. in Error.	was sub-
	The International Bank of	mitted to the
	Chicago et al.	considera-

tion of the Court on the record and printed arguments

by Mr. W. F. Burgess, of counsel for the plaintiffs in error, and Mr. A. H. Pence and Mr. George W. Smith, of counsel for the defendants in error.

William A. Stuart, Appellant. vs. C. S. Gay et al.

255. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward B. Knight, of counsel for the appellant, and Mr. John E. Kenna, of counsel for the appellees.

Bernard B. Hans, Plff. in Error, vs. The State of Louisiana.

257. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

The State of North Carolina et al., Appellants vs. Alfred M. Temple.

1034. Ordered by the Court that this cause be, and the same

Thursday, April 26th 1888, Continued.

238.	The United States, vs. Appellant, Oscar J. Averill et al.	This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the appellant. No counsel appeared for the appellees.
265.	The Providence & Stonington Steamship Company, vs. Plff. in Error, Almira R. Clarke, Admx. vc.	This cause was argued by Mr. Wheeler H. Peckham, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.
263.	James W. Hosford et als., vs. Plffs. in Error, The Germania Fire Insurance Company et al. and James W. Hosford et als., vs. Plffs. in Error, The Hartford Fire Insurance Company.	The argument of these cases was commenced by Mr. Isham Reavis, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until

Friday, April 27th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Henry Arden, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Carter it is-

ordered that Amasa J. Parker Jr., Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

263. James W. Hosford et al., vs. Plffs. in Error, The Germania Fire Insurance Company et al.

And

264. James W. Hosford et al., vs. Plffs. in Error, The Hartford Fire Insurance Company.

The argument of these cases was continued by Mr. Isham Reavis, of counsel for the plaintiffs in error, and Mr. Samuel Shellabarger, of counsel for the defendants in error in No. 263, and concluded by Mr. T. M. Marquett, of counsel for the plaintiffs in error.

266. The Metropolitan Railroad Co. vs. Plff. in Error, The District of Columbia.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

	William H. Robertson, late Collector &c., vs. Plff. in Error, Richard F. Downing et al.	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error. No

counsel appeared for the defendants in error.

275.	The Oregon Railway and Navigation Company, vs. Plff. in Error, The Oregonian Railway Company (Limited).	On motion of Mr. A. H. Garland, of counsel for the defendant in error,

It is ordered by the Court that Mr. Edmund Robertson, M. P., Barrister at Law of the English Bar, be allowed to appear in behalf of the defendant in error in this cause.

The Oregon Railway and Navigation Company, vs. Plff. in Error,
2nd S. " The Oregonian Railway Company, Limited.

The argument of this cause was commenced by Mr. J. H. Dolph, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 30th, 1888.

Pursuant to adiournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate
Stanley Matthews — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that L. Brame, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. R. Rudd it is ordered that John E. Thomas, Esquire, of Sheboygan Falls, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Lyman it is ordered that John N. King, Esquire, of Rapid City, Territory of Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. D. Mussey it is ordered that DeLancey Nicoll, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that Charles E. Le Barbier, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Thomson it is ordered that William Bourke Cockran, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Cole it is ordered that Wyman L. Cole, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. F. Cogswell it is ordered that Darius A. Covill, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The United States,	Appeal from the Cir-
180.	vs. Appellant.	cuit Court of the
	Charles W. Beebe et al.	United States for the
		Eastern District of
		Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

	Richard H. Porter,	Appeal from the Su-
221.	vs. Appellant,	preme Court of the Dis
	Stephen V. White.	trict of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered,

adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Thomas F. Bayard, Secretary of State, vs. The United States ex rel: Stephen J. White. Pltff. in Error, 238. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with a direction to dismiss the petition for a writ of mandamus.

per Mr. Justice Blatchford.

The United States ex rel: Lutzarda Angarica de la Rua, Executrix of Joaquin Garcia de Angarica, deceased,

vs. Plff. in Error,

Thomas F. Bayard, Secretary of State.

In Error to the Supreme Court of the District of Columbia.

1241.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, in general term be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

George B. Cornell,

vs. Appellant,

Paul Weidner.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

240.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

205. Louis D. De Saussure, Plff. in Error, vs. Peter C. Gaillard, Treasurer of Charleston County, In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Matthews.

	Martha Colton,	Appeal from the Circuit
228.	vs. Appellant,	Court of the United States
	Ellen M. Colton.	for the District of
		California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to overrule the demurrer to the bill, and to take further proceedings therein not inconsistent with the opinion of this Court.

Per Mr. Justice Matthews.

229. Abigail R. Colton, vs. Ellen M. Colton. Appellant. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to overrule the demurrer to the Bill, and to take further proceedings therein not inconsistent with the opinion of this Court.

per Mr. Justice Matthews.

The Freedman's Savings & Trust Company, Henry W. Cannon, Commissioner &c., Appellants,
230. vs. Appeals from the Supreme Court of the District of Columbia.
Alexander R. Shepherd, John W. Thompson et al.

and

Alexander R. Shepherd
256. vs. Appellant,
John W. Thompson.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed, each appellant to pay the costs of their respective appeals in this Court.

Per Mr. Justice Harlan.

	The People of the State of California,	In Error to the Circuit Court of
660.	vs. Plffs. in Error,	the United States
	The Central Pacific Railroad Company.	for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Bradley.

	The People of the State of California,	In Error to the Circuit Court of the
661.	vs. Plffs. in Error,	United States for the
	The Southern Pacific Railroad Company.	District of California.

Monday, April 30th 1888, continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Bradley.

	The People of the State of California, ...	In Error to the Circuit Court of the United States for the District of California.
662.	vs. Plfs. in Error.	
	The Northern Railway Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Bradley.

The People of the State of California,		In Error to the Circuit Court of the
1183.	vs. Plffs. in Error,	United States for
The California Pacific Railroad Company.		the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to

the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Bradley.

	The People of the State of California	In Error to the Circuit Court
6164.	vs. Plffs. in Error,	of the United States
	The Central Pacific Railroad Company.	for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Bradley.

	The People of the State of California,	In Error to the Circuit Court of the
1157.	vs. Plffs. in Error,	United States for
	The Central Pacific Railroad Company.	the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

	John Noyes,	Appeal from the Su-
242.	vs. Appellant,	preme Court of the
	Lee Mantle and District	Territory of
	Largey.	Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was

argued by counsel. On consideration where-
of, It is now here ordered, adjudged and
decreed by this Court that the decree of the
said Supreme Court in this cause be, and the
same is hereby, affirmed with costs.

per Mr. Justice Field.

William O. Culbertson,
vs. Plff. in Error,
The N. Witbeck Company.

In Error to the Cir-
cuit Court of the
United States for
the Western District
of Michigan.

This cause came on to be heard on the tran-
script of the record from the Circuit Court of
the United States for the Western District of
Michigan and was argued by counsel.
On consideration whereof, It is now here or-
dered and adjudged by this Court that the
judgment of the said Circuit Court in this
cause be, and the same is hereby, affirmed
with costs.

per Mr. Justice Miller.

	Anna E. Cameron and J. D. Cameron, her husband, Mary F. Thompson and her husband, J. A. Thompson et al.,	Appeal from the Circuit Court of the United States for the Western District of Tennessee.
208.	vs. Appellants,	
	Asa Hodges; C. B. Clarke, Executor of E. E. Clarke, deceased, and surviving partner of the late firm of Clarke, Johnson & Co. and D. H. Poston & W. Y. C. Humes, Trustees.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings. per Mr. Justice Miller.

	George Barker, Administrator of Henry O. Jones, deceased, and John Gort,	Appeal from the Circuit Court of the United States for
235.	vs. Appellants,	the District of
	Walter Craig.	Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Miller.

	The United States,	In Error to the
233.	vs. Plff. in Error.	Circuit Court of
	John F. Broadhead, John Pilling and C. W. Alvey.	the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of

California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Miller.

234. The United States, vs. Plf. in Error, John F. Broadhead, William Schmolz and Peter C. Scott. In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction, and that this cause be, and the same is hereby, remanded to the Circuit Court

of the United States for the Northern District of California.

per Mr. Justice Miller.

190. Clarence P. Hunt, vs. Appellants, Sallie S. Blackburn et al. On consideration of the motion to vacate the decree of dismissal entered herein on the 9th instant, It is now here ordered by the Court that said motion be, and the same is hereby, continued until the next term of this Court, with leave to either party to file additional affidavits as to the value of the matter in controversy.

per Mr. Justice Miller.

1111. W. H. Lent et al., vs. Plffs. in Error, Charles Tillson, Tax Collector etc. Ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Justice Miller.

318. E. C. Marshall & Robert Chapin, Adm'rs. vc., vs. Appellants, The United States.

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, granted, the judgment entered herein on January 23d, 1888, rescinded and annulled and the case ordered for re-argument in the regular call of the docket at the next term.

per Mr. Justice Miller.

1414. John M. Francis, vs. Appellant, The United States.

On consideration of the suggestion of a diminution of the record and the motion for a writ of certiorari in this cause, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded as prayed.

per Mr. Justice Miller.

1. Francis Downs, Executor &c., vs. E. G. Hubbard, Admr &c. Appellant, On consideration of the motion for an attachment against Leann S. King, as principal, and Charles F. R. Hayward and Andrew D. Wilson as sureties, and Thomas J. Allen, as principal, and John A. Smith and Charles R. Lockridge, as sureties, on two certain bonds given for costs in this Court in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the persons above named pay the taxed costs in this cause which have accrued since said bonds were approved, amounting to the sum of $1106.65, on or before the 14th day of May, 1888, and unless this sum is so paid, a writ of attachment against them will issue, returnable on the first day of the next term of this Court.

per Mr. Justice Miller.

The City of Detroit, vs. Plff. in Error, Elizabeth S. Osborne. — Mr. H. M. Duffield, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1401.

1402. The U. S. ex rel: Oscar Dunlap, Plff. in Error, vs. John C. Black, Comm'r. &c.

1403. The U. S. ex rel: Frank Rose, Plff. in Error, vs. John C. Black, Comm'r. &c.

1404. The U. S. ex rel: Chas. R. Miller, Plff. in Error, vs. John C. Black, Comm'r. &c.

Mr. J. G. Bigelow, of counsel for the plaintiffs in error, submitted to the consideration of the Court motions to advance these cases.

The District of Columbia, vs. Appellant, Augusta M^c Blair et als. — The motion to correct the decree entered by this Court in this

1329.

cause was submitted to the consideration of the Court on printed arguments by Mr.

Mr. F. C. Morris and Mr. J. J. Darlington, in support of the same, and Mr. H. E. Davis, in opposition thereto.

	Louis Stein, Executor &c.,		Mr. W. Hallett
1396.	vs.	Appellant,	Phillips, of coun-
	The Bienville Water		sel for the appel-
	Supply Co.		lant, submitted

to the consideration of the Court a motion to advance this cause.

	Wilson Mailor Jr., et al.,		The motion to
362.	vs.	Appellants,	dismiss in
	Washington J. Mailor et al.		this cause

was submitted to the consideration of the Court on a printed argument by Mr. C. C. Cole and Mr. W. C. Cook, in support of the same.

	Theodore H. Vetterlein et al.,		On motion of
104.	vs.	Appellants,	Mr. Harring-
	Demas Barnes, Assignee &c.		ton Putnam,

of counsel for the appellee, leave is hereby granted the Clerk

to issue the mandate in this cause.

275. The Oregon Railway & Navigation Company, Plf. in Error, vs. The Oregonian Railway Company, Limited.

The argument of this cause was continued by Mr. George F. Edmunds and Mr. A. H. Garland, of counsel for the defendant in error, and Mr. James C. Carter, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, May 1st, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. A. Banning it is ordered that Newton A. Partridge, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

275.	The Oregon Railway & Navigation Company, vs. Plff. in Error, The Oregonian Railway Company, Limited.	The argument of this cause was concluded by Mr. J. C. Carter, of counsel for the plaintiff in error.
420.	George Benson, vs. Appellant, H. C. McMahon, U.S. Marshal, et al. (by special leave of Court)	This cause was argued by Mr. Peter Mitchell, of counsel for the appellant, and Mr. S. Mallet-Prevost & Mr. DeLancey Nicoll, of counsel for the appellees.
259.	William H. Robertson, late Collector &c. vs. Plff. in Error, Emilie Sichel, by Joseph Sichel, her guardian ad litem.	This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Edward Jacobs, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Wednesday, May 2nd., 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Newton P. Frye, Esquire, of North Andover, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Solicitor General Jenks it is ordered that W. D. Moore, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

270. John F. Hartranft, Collector of Customs, vs. Plff. in Error, E. Ernest F. Zeh and Albert Schenck, trading as Zeh & Schenck. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause being called for hearing in its regular order, and Mr. Solicitor General Jenks, of counsel for the plaintiff in error, having moved the Court to dismiss this cause, It is, thereupon, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

271. The Vacuum Oil Company, Appellant, vs. The Buffalo Lubricating Oil Company, Limited. This cause was argued by Mr. William F. Cogswell, of counsel for the appellant.

272. Job Barnard, Adm^r &c., Appellant, vs. The District of Columbia. This cause was argued by Mr. J. H. Ford, of counsel for the appellant, and Mr. Assistant Attorney General Howard, of counsel for the appellee.

273. The Travelers' Insurance Co. of Hartford, Conn., Plff. in Error, vs. Sadie P. McContey. This cause was argued by Mr. B. D. Lee, of counsel for the plaintiff in error, and Mr. W. G. Thompson, of counsel for the defendant in error.

274. Edward Deloup, Plff. in Error, vs. The Port of Mobile. This cause was submitted to the consideration of the Court on the record and a

printed argument by Mr. Gaylord B. Clark, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

268. Charles E. Miller v Daniel G. Rollins, Executors of Chester A. Arthur, dec'd., late Collector &c., vs. Plffs. in Error, Frederick Vietor et al.

The argument of this cause was commenced by Mr. Solicitor General Jenks, of counsel for the plaintiffs in error, and continued by Mr. Stephen G. Clarke, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, May 3d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that Charles S. Careins, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Charles Gibson it is ordered that Elmer B. Adams, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1093. Phil Leicht Jr., vs. Plff. in Error, D. W. McLane et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. E. Blake, in support of the same, and Mr. P. Henry Smyth, in opposition thereto.

452. The Memphis and Little Rock Railroad Company (as reorganized), vs. Appellant, Robert T. Dow, Watson Matthews and Charles Moran, Trustees. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called to the attention of the Court by Mr. Stephen G. Clarke, in behalf of counsel, and a stipulation

to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

per Mr. Justice Miller.

852. W. M. Barker, Eli Culver-house, Hugh Stevenson, U. K. Stevenson et al., Appellants, vs. The Kansas & Gulf Short Line Railroad Company, James P. Douglas, E. C. Williams et al. Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause being called to the attention of the Court by Mr. Stephen J. Clarke, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

	The Baxter Mountain Gold Mining Company	In Error to the Supreme Court
739.	vs. Plff. in Error,	of the Territory
	Henry J. Patterson et al.	of New Mexico.

This cause being called to the attention of the Court by Mr. J. H. Stoffeeter, Jr., of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Miller.

	Charles E. Miller and Daniel	The argument
	G. Rollins, Executors of Chester	of this cause
	A. Arthur, deceased, late	was contin-
	Collector &c.,	ued by Mr.
268.	vs. Plffs. in Error,	Stephen J.
	Frederick Victor et al.	Clarke, of
		counsel for the

defendants in error, and concluded by

Mr. Solicitor General Jenks, of counsel for the plaintiffs in error.

Louis A. Leblaire, Executor of Antoine Leblaire, deceased,	Appeal from the Circuit Court of the United States for
276. vs. Appellant,	the Southern Dis-
James May.	trict of Illinois.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

Fannie E. Allen,	This cause was argued
277. vs. Appellant,	by Mr. John J. Brady,
Henry F. Eilette.	of counsel for the appel-
	lant, and submitted on

a printed argument by Mr. J. A. Waul, of counsel for the appellee.

278. Joshua Hendy, Appellant, vs. The Golden State and Miners' Iron Works et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John N. Miller and Mr. J. P. Langhorne, of counsel for the appellant, and Mr. M. A. Wheaton, of counsel for the appellees.

279. The Western Union Telegraph Co., Appellant, vs. The Baltimore & Ohio Telegraph Co.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

282. Edward P. Woods, Daniel Sherwood and Cyrus N. Latham, trading as Woods, Sherwood & Company, Appellants vs. Edward S. Rosenbaum and Caroline Rosenbaum, trading as Rosenbaum & Company and George W. Savidge and Frederick Godfrey, trading as Savidge & [illegible]

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

283. E. D. Healer, vs. Plff. in Error, George D. Faulkner et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Denver and Mr. E. N. Broady, of counsel for the plaintiff in error, and Mr. T. M. Marquett and Mr. Esham Reavis, of counsel for the defendants in error.

284. The Georgia Railroad & Banking Co., vs. Plff. in Error, James M. Smith et al., Railroad Commissioners &c. On motion of Mr. Clifford Anderson, of counsel

for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsels.

The Central National Bank of Washington City et als.
285. vs. Appellants,
Annie E. Hume et als.
and
Annie E. Hume,
286. vs. Appellant,
The Central National Bank of Washington City et als.

It is ordered by the Court that these cases be, and the same are hereby, continued until the next term, per stipulation of counsel.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, May 4th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Stanley Matthews Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

136. The St. Paul Plow Works, Plff. in Error vs. William Starling. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles S. Bearing, in support of the same, and Mr. John B. Sanborn and Mr. W. H. Sanborn, in opposition thereto.

The Steam Gauge and Lantern Company and J. H. Erwin, vs. Appellants, The St. Louis Railway Supplies and Manufacturing Company. (1)

Mr. R. A. Batcwell, of counsel for the appellee, presented a certificate of the Clerk of the Circuit Court of the United States for the Eastern District of Missouri, and moved the Court to docket and dismiss this appeal, pursuant to the 9th rule. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

325. Hiram Holt, vs. Appellant, John W. Kendall and Timothy A. Holden.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called to the attention of the Court by Mr. J. M. Wilson, in behalf of counsel, and the authority of the appellant to dismiss this cause having

been filed, It is, thereupon, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

335. The Weir Plow Company, Appellant, vs. John M. Turnbull and William A. Dryden. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called to the attention of the Court by Mr. E. M. Wilson, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Miller.

393. Isaac W. Birdseye, Richard H. Hubbell 2nd Charles W. Higby, vs. Solomon Heilner and Henry Straus. Appellants, Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called to the attention of the Court by Mr. G. M. Wilson, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Miller.

604. Peter Lorillard, Pierre Lorillard, Jr., A. Griswold Lorillard 2nd Charles Fiedler as P. Lorillard & Co., vs. Joseph F. Pride. Appellants Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called to the attention of

the Court by Mr. J. M. Wilson, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, thereupon, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Miller.

287. Charles P. Crosby vs. William A. Harding, Assignee in Bankruptcy of the estate and effects of John P. Rice, Manning A. Goodwin, Pinckney Walker and Lewis H. Tyler. — Appellants. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same

is hereby, dismissed with costs.
per Mr. Justice Miller.

288. Pullman's Palace Car Co. vs. Plff. in Error, The Commonwealth of Pennsylvania. And Pullman's Palace Car Co., vs. Plff. in Error, The Commonwealth of Pennsylvania

Ordered by the Court that these cases be, and the same are hereby, continued until the next term, per Stipulation of counsel.

290. J. W. H. Cullifoid et al., vs. Appellants A. J. Gonila & Co.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

291. Charles L. Easton, vs. Appellant, The German-American Bank.

The argument of this cause was commenced by Mr. J. M. Wilson, of counsel for the

appellant, continued by Mr. Edward Salomon, of counsel for the appellee, and concluded by Mr. Charles L. Easton, the appellants.

John Branscom and Martha A. Branscom, vs. John W. Wood. — Appeal from the Circuit Court of the United States for the District of Kansas.

292.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

Howard S. Lovejoy et al., Plffs. in Error, vs. The United States. — On motion of Mr. Assistant Attorney General Maury, of counsel for the

293.

defendant in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

	The Crescent Brewing Co.,	Ordered by the
294.	vs. Appellant,	Court that these
	Matthew Gottfried.	cases be, and the
	Rachel S. Gaff, Executrix &c. et al.,	same are hereby,
295.	vs. Appellants,	continued until
	Matthew Gottfried.	the next term,
	and	per stipulation
	Eugene Hack et al.,	of counsel.
296.	vs. Appellants	
	Matthew Gottfried.	
	Anna E. Cameron et al.,	On motion of Mr. W.A.
208.	vs. Appellants	Maury, in behalf of
	Asa Hodges et al.	counsel, leave is here-
	and	by granted the Clerk
	The Iron Silver Mining Co.	to issue the mandates
260.	vs. Plff. in Error,	in these cases.
	Joseph Reynolds et al.	

Proclamation being made the Court is adjourned until Monday, May 14th, at twelve o'clock.

Monday, May 14th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Stanley Matthews
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Rufus B. Stone, Esquire, of Bradford, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. C. F. Manderson it is ordered that Samuel P. Davidson, Esquire, of Tecumseh, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Holman it is ordered that William Jesse Curtis, Esquire, of San Bernardino, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that Cassius M. Jennings, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is

ordered that Samuel Maddox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

166. The Glacier Mountain Silver Mining Company vs. G. Frank Willis, Charles Buckland and Donald M. Frothingham. Plff. in Error, In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for such further proceedings as are consistent with the opinion of this Court.

224. Talmadge E. Brown, Appellant vs. The District of Columbia. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Lamar.

277. Fannie B. Allen, Appellant, vs. Henry F. Gillette. Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It

is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

243. Gustav Falk and Arnold Falk, vs. Phys. in Error George Mocbs. In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

195. Joel Johnson, vs. Appellant, George Christian & Jerry Stuart. — On consideration of the petition for a rehearing filed in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, granted, the decree entered herein on April 16th, 1888, rescinded and annulled, and the case restored to the docket for argument when reached in regular call of the docket at the next term.

per Mr. Justice Blatchford.

265. The Providence & Stonington Steamship Company, vs. Plff. in Error, Almira R. Clare, as Administratrix of Charles C. Clare, deceased. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Justice Blatchford.

	The Mosler Safe & Lock Company,	Appeal from the Circuit Court of the
248.	vs. Appellant,	United States for the
	Mosler, Bahman &	Southern District of
	Company.	Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

278. Joshua Hendy, vs. Appellant, The Golden State Miners' Iron Works. H. B. Worrell. Wales L. Palmer, R. F. Knox et al. — Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsels. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Blatchford.

	Henry Herrman, Charles Sternbach and Abraham Herrmann,	In Error to the Circuit Court of the United States for the Southern District of New York.
250.	vs. Plffs. in Error,	
	Charles E. Miller & Daniel S. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York.	

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

Per Mr. Justice Blatchford.

	Charles E. Miller and Daniel E. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York,	In Error to the Circuit Court of the United States for the Southern District of New York.
268.	vs. Plffs. in Error,	
	Frederick Victor, George F. Victor, Carl Victor, Thomas Victor Jr., and Fritz Achelis.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

Per Mr. Justice Blatchford.

	William H. Robertson, late Collector of the Port of New York,	In Error to the Circuit Court of the United States for the Southern District of New York.
260.	vs. Plff. in Error,	
	Emilie Sichel, an infant, by Joseph Sichel, her guardian ad litem.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Justice Blatchford.

	George Flower and Thomas Flower, Executors of James Flower, deceased, Thomas Flower and George Flower,	Appeal from the Circuit Court of the United States for the
203.	vs. Appellants,	Eastern Dis-
	The City of Detroit, The Fire Commission of the City of Detroit, Benjamin Vernor, President thereof, and The Board of Water Commissioners of the City of Detroit.	trict of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

114	Jacob O. Goyer, Appellant, vs. The Phillips-the Foundry and Machine Works Company and F. M. De Weese.		Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

3, Original.	The State of Wisconsin, vs. The Pelican Insurance Company of New Orleans	Plaintiff,	At Law.

This cause came on to be heard on the plaintiff's demurrer to the defendant's

first plea, and was argued by counsel.
On consideration whereof, it is now here ordered by the Court that the said demurrer be, and the same is hereby, overruled, and that the said plea be, and the same is hereby, sustained. And it is further ordered that the said defendant go hence without day, and have and recover of and from the plaintiff its costs in this behalf expended taxed at dollars and cents, and that execution issue therefor.

Per Mr. Justice Gray.

197. The Arkansas Valley Smelting Company, vs. Plff. in Error, The Belden Mining Company. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

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146. James Mosher, Plff. in Error, vs. The St. Louis, Iron Mountain & Southern Railway Company. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs.

per Mr. Justice Gray.

249. John Holland, Appellant, vs. Morris S. Shipley and Edward Tyrrell, doing business as The Shipley-Tyrrell Manufacturing Company. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	James W. Hosford and Charles Gagnon, copartners under the firm-name of Hosford & Gagnon,	In Error to the Circuit Court of the United States for the District of Nebraska.
263.	vs. Plffs. in Error,	
	The Germania Fire Insurance Company and The Hanover Fire Insurance Company, associated together under the name of The Underwriters.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the plaintiffs upon the special verdict.

Per Mr. Justice Gray.

	James W. Hosford and Charles Gagnon, copartners under the firm-name of Hosford & Gagnon,	In Error to the Circuit Court of the United States
264.	vs. Plffs. in Error,	for the Dis-
	The Hartford Fire Insurance Company.	trict of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the plaintiffs upon the special verdict.

per Mr. Justice Gray.

	The St. Paul Plow Works,	On consideration of the motion to
136.	vs. Def. in Error,	dismiss in this
	William Starling.	cause and of the
		argument of coun-

sel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Gray.

	Robert E. Jenkins, as	In Error to the
	Assignee in Bankruptcy	Supreme
	of Samuel J. Walker,	Court of the
284.	vs. Plf. in Error,	State of
	The International Bank	Illinois.
	of Chicago, Barthold	
	Loewenthal et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

255. William A. Stuart, Appellant, vs. C. D. Gay and Margaret L. Gay, his wife, John Echols, Trustee of said Margaret L. Gay, and John W. Johnston, Trustee of E. C. Boyd. Appeal from the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause, appealed from, be, and the same are hereby, affirmed with costs.

Per Mr. Justice Matthews.

	Charles L. Easton	Appeal from the
291.	vs. Appellant,	Circuit Court of the
	The German American	United States for the
	Bank.	Southern District
		of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause &c, and the same is hereby affirmed with costs.

per Mr. Justice Matthews.

	Emma C. D. Nickerson	Appeal from the
881.	vs. Appellant,	Supreme Court
	Ayer H. Nickerson, Wil-	of the District
	liam B. Matthews and	of Columbia.
	Lena D. Carter.	

This cause came on to be heard on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsels. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

244. J. Hairston Seawell et al. vs. Jacob M. Haymaker. Pltfs. in Error, In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs;

and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, and for further proceedings in conformity with law and the principles of the opinion of this Court.

per Mr. Justice Harlan.

(Mr. Justice Matthews took no part in the decision of this case.)

The Travelers Insurance Company of Hartford, Connecticut,		In Error to the Circuit Court
		of the United
273.	vs. Pff. in Error,	States for the
Sadie P. McConkey.		Northern Dis-
		trict of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

The Farmers' Loan & Trust Company & Elijah Smith, Receiver & Trustee,		Appeal from the Circuit Court of the United States for the Western District of Missouri.
353.	vs. Appellants.	
Henry L. Stowman, Trustee.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the

same is hereby, remanded to the said Circuit Court for further proceedings to be had therein consistent with the opinion of this Court.

per Mr. Justice Harlan.

1318. James O. Callan, Appellant, vs. A. A. Wilson, Marshal. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to discharge the appellant from custody.

per Mr. Justice Harlan.

	Ermance De St. Romes,	Appeal from the
130.	vs. Appellant,	Circuit Court
	The Levee Steam Cotton	of the United States
	Press Company; and	for the Eastern Dis.
	H. Gally.	trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Bradley.

Monday, May 14th, 1888, continued.

Zenas C. Robbins,

230. vs. Appellant,

Clarence H. Clark, Harrison A. Lutz and Daniel G. Rollins, Executors & Trustees of Edward A. Rollins, deceased.

Appeals from the Supreme Court of the District of Columbia.

and

Clarence H. Clark, Harrison A. Lutz and Daniel G. Rollins, Executors & Trustees of Edward A. Rollins, deceased,

801. vs. Appellants

Zenas C. Robbins.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the Executors and Trustees of Edward A. Rollins,

deceased; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to dismiss the bill of complaint with costs.

per Mr. Justice Bradley.

Edward Lelouts, Pltff. in Error, vs. The Port of Mobile. In Error to the Supreme Court of the State of Alabama.

2nd 4.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to take further proceedings according to law in conformity with the opinion of this Court.

per Mr. Justice Bradley.

	John Calhoun, Receiver of The Consolidated Asso. ciation of the Planters of Louisiana and Henry Denis,	In Error to the Supreme Court of the State of Louisiana.
939.	vs.	Plffs. in Error,
	George Alfred Lanaux.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

	The United States	Appeal from the
1027.	vs.	Appellant,
	Kate D. McLaughlin,	Circuit Court of
	Kate D. McLaughlin	the United States
	as Executrix of Charles	for the Northern
	McLaughlin, deceased,	District of
	et al.	California.

Monday, May 14th 1888, continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed; and it is further ordered that this decree be entered nunc pro tunc as of October 10th 1887.

per Mr. Justice Bradley.

11. Everett De Witt, W. Myers, E. M. Morgan, D. H. Nethercott and Charles Disembee, vs. Plffs. in Error, Kate D. McLaughlin, Executrix of Charles McLaughlin, deceased. In Error to the Circuit Court of the United States for the Dist. of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

It is further ordered that this judgment be entered nunc pro tunc as of October 10th 1887.

per Mr. Justice Bradley.

12. George Friend, Stephen McGorray, Thomas McGorray, C. H. Nelson, W. J. Nelson et al. vs. Plffs. in Error, John H. Wise, Administrator of Tully R. Wise, deceased. — In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

It is further ordered that this judgment be entered nunc pro tunc as of October 10th, 1887.

per Mr. Justice Bradley.

Jos Barnard, Administrator of Robert H. Ryan, deceased, Appellant, vs. The District of Columbia

Appeal from the Court of Claims.

272.

This cause came on to be heard on the transcript of the record from the Court

of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgement of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

	The Chicago, Milwaukee & St. Paul Railway Company,	Appeal from the Court of
238.	vs. Appellant,	Claims.
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgement of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

William H. Robertson, late Collector of the Port of New York,		In Error to the Circuit Court of the United States for the Southern District of New York.
267.	vs. Plff. in Error,	
Richard F. Downing, George W. Sheldon,		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Field.

	Ryan & Mahon,	Appeal from the
144.	vs. Appellant.	Circuit Court of
	Abner Justice, Jailor of	the United States
	Pike County, Kentucky.	for the District
		of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Dissenting:
Mr. Justice Bradley and
Mr. Justice Harlan.

	George C. Richardson, George	Appeal from the
	T. Guild, Harrison Gardner et al.,	Circuit Court
226.	vs. Appellants,	of the United
	Charles B. Day, William Jack	States for the
	and Leslie D. Puterbaugh.	Northern District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

1399. The United States vs. Joseph W. Fachers. Plaintiff. Ordered by the Court that this cause be re-argued on the second day of the next term.

Per Mr. Justice Miller.

~79. John J. Gilmer et al., vs. Plffs. in Error, Richard J. Kennon. Ordered by the Court that the motion to dismiss in this cause be, and the same is hereby, postponed for hearing with the case on its merits.

862. Allison Nailor, Junior and Maggie L. Nailor, vs. Appellants, Washington I. Nailor, Rachel E. Trimble and Frances M. Clarke. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on a motion to dismiss this appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

per Mr. Justice Miller.

901. The City of Detroit, vs. Plff. in Error, Elizabeth S. Osborne. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

Phil Leicht Jr.,
093. vs. Plff. in Error,
D. W. McLane et al.

On consideration of the motion to dismiss in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

The District of Columbia
1329. vs. Appellant,
Augusta McClair et al.

On consideration of the motion to modify the decree entered by this Court in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

The Steam Gauge & Lantern Co. et al.,
vs. Appellants,
The St. Louis Railway Supplies & Manufacturing Company.

It appearing to the Court that this case has been docketed since the motion to docket and dismiss was made herein, It is ordered

that said motion be, and the same is hereby, denied, at the costs of the appellants.

per Mr. Justice Miller.

1396. Louis Stein, Executor &c., Appellant, vs. The Bienville Water Supply Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Miller.

1402. The U. S. ex rel: Oscar Dunlap, Plff. in Error, vs. J. C. Black, Commr &c.

1403. The U. S. ex rel: Frank Rose, Plff. in Error, vs. J. C. Black, Commr &c.

1404. The U. S. ex rel: Chas R. Miller, Plff. in Error, vs. J. C. Black, Commr &c.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on

the second day of the next term.

Per Mr. Justice Miller.

283. G. D. Hegler vs. Plff. in Error, George Faulkner et al's. In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice Miller.

	Isaac Taylor and Sallie A. Howes,	Appeal from the
200.	vs. Appellants,	Circuit Court
	Moses L. Holmes, Reuben	of the United
	G. Holmes, Ephraim	States for the
	Manney & Valentine	Western District
	Manney.	of North
		Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

	Frank Patterman, Treasurer of	
	Hamilton County, Ohio,	Appeals from
1360.	vs. Appellant,	the Circuit
	The Western Union Telegraph Co.	Court of the
	and.	United

1361. The Western Union Telegraph Co. vs. Frank Ratterman, Treasurer of Hamilton County, Ohio. Appellant, } States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, each appellant to pay the costs of their respective appeals in this Court.

per Mr. Justice Miller.

	George Benson,	Appeal from
1420.	vs. Appellant,	the Circuit
	Martin J. McMahon,	Court of the
	Marshal of the United	United States
	States for the Southern	for the Southern
	District of New York,	District of
	and Juan N. Navarro,	New York.
	Consul General of the	
	Republic of Mexico	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

	Ex parte: In the matter of	Appeal from the Cir-
	Simeon Coy and William F.	cuit Court of the United
	A. Bernhamer, Petitioners,	States for the District
1395.	Appellants.	of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause &c, and the same is hereby, affirmed.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Field.

The Peoples Telephone Co. et al.,
770. vs. Appellants,
The American Bell Telephone Co.
and
The Overland Telephone Co. et al.,
771. vs. Appellants,
The American Bell Telephone Co.

On petition for rehearing.

No Justice who united in the opinion of the Court having asked for a rehearing, the application is denied.

per Mr. Justice Miller.

139. Ermance de St. Romes, vs. The Levee Steam Cotton Press Company et al. Appellant. On motion of Mr. W. A. Maury, of counsel for the appellees, leave is hereby granted him to file a petition for a rehearing in this cause within sixty days from this date, and it is ordered by the Court that the mandate in this case be withheld for that time, and until the next term if the petition is filed within the time mentioned.

34. James Doolan et al., vs. Plffs. in Error, William B. Carr. Mr. Walter H. Smith, of counsel for the defendant in error. Submitted to the consideration of the Court a motion for leave to file a petition for a rehearing in this cause. On consideration whereof, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

	Joseph C. Spencer and Ralph C. Webster,	Appeal from the Supreme Court
142.	vs. Appellants,	of the Territory
	Samuel McMaster.	of Wyoming.

This cause being called to the attention of the Court by Mr. Walter H. Smith, of counsel for the appellants, and he having moved the Court to dismiss this cause, it is thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

	The Texas & Pacific Railway Company	In Error to the Circuit Court of
487.	vs. Plff. in Error,	the United States
	Cleora E. Toothman,	for the Eastern Dis-
	Nettie Belle Toothman	trict of Texas.
	and Ella May Toothman.	

This cause being called to the attention of the Court by Mr. A. B. Browne, of

counsel for the plaintiff in error, and a stipulation to reverse the judgment of the said Circuit Court having been filed, which stipulation is in the following words, to wit:

"The Texas & Pacific Ry. Co. — Writ of Error
vs. — from Eastern
Cleora E. Toothman, Nettie — District of Texas
Belle Toothman and Ella — at Jefferson.
May Toothman.

Suit pending in Supreme Court of the United States.

We agree that the judgment rendered in the above cause in the United States Circuit Court at Jefferson, Texas, be reversed, and that judgment be rendered by the United States Supreme Court against the Texas & Pacific Railway Company as follows: in favor of Cleora E. Toothman for $ 1916.66; and in favor of Nettie Belle Toothman for $ 1916.66; and in favor of Ella May Toothman for $ 1916.66; and that the Texas & Pacific Railway Company pay all costs in Supreme Court and the other courts. The total amount of the judgment to be entered in the Supreme Court is $ 5,750.00 and all costs.

Jno. C. Brown,
Atty. for Plff. in Error.
C. C. Cole
W. L. Cole
Attys. for Def'ts. in Error."

Whereupon, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in conformity with said stipulation.

per Mr. Justice Miller.

E. Volney Sweeting and Asa C. Call, Appellants, vs. The American Emigrant Company. — Appeal from the Circuit Court of the United States for the Southern District of Iowa.

No. 36.

This cause being called to the attention

of the Court by Mr. W. Hallett Phillips, in behalf of counsel for the appellants, and a motion by the appellants to dismiss this cause having been filed, It is, thereupon, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

Francis Downs, Executor &c., vs. Appellant,
E. G. Hubbard, Adm'r. &c.

On motion of Mr. O. D. Barrett, of counsel for the appellant, It is ordered

1. by the Court that the mandate in this cause be withheld until the terms of the order entered herein, as to costs, on April 30th have been complied with.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court be, and the same are hereby, continued until the next term of the Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States.

October Term
1888.

Monday, October 8th 1888.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October, (being the eighth day of the same month), in the year of our Lord one thousand eight hundred and eighty-eight, and of the Independence of the United States the one hundred and thirteenth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Melville W. Fuller produced Letters Patent from the President of the United States, which were read in open Court, in the words and figures following, to wit:

Grover Cleveland

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Melville W. Fuller of Illinois, I have nominated, and by and with the advice and consent of the Senate, do appoint him to be Chief Justice of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Melville W. Fuller, during his good behaviour.

In testimony whereof, I have caused these Letters to be made patent and the seal of the United States to be hereunto affixed.

Given under my hand at the (Seal) City of Washington the twentieth day of July, in the year of our Lord one thousand eight hundred and eighty-eight, and of the Independence of the United States of America the one hundred and thirteenth.

Grover Cleveland.

By the President:
J. F. Bayard
Secretary of State.

And thereupon the following oath of office was administered to him by James H. McKenney, the Clerk of the Court.

I, Melville Weston Fuller, do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially

discharge and perform all the duties incumbent on me as Chief Justice of the United States, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God!

Melville Weston Fuller.

Subscribed and sworn to
before me this eighth day
of October, A.D. 1888.

James H. McKenney
Clerk of the Supreme Court
of the United States.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Henry B. Munn, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General

Jenks it is ordered that Miron Winslow and Frank E. Smith, Esquires, of New York City, Harvey M. Friend, Esquire, of Greenville, and Joseph Olds, Esquire, of Columbus, State of Ohio, and George C. Cabell, Esquire, of Danville, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Goudy it is ordered that Holdridge O. Collins, Adlai T. Ewing, James B. Galloway, William J. Manning, Frank J. Smith and Merritt Starr, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Dolph it is ordered that George H. Durham, Esquire of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this

Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that James D. Springer, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that James S. Hogg, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles O. Lancaster it is ordered that Isaac N. Fleckinger, Esquire, of Council Bluffs, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Warner it is ordered that Robert E. L. White, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. McGowan it is ordered that William H. De Witt, Esquire, of Butte, Territory of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket tomorrow, pursuant to the 96th rule, beginning with the cases specially assigned for that day.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 9th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that John S. McCalmont, Esquire, of Franklin, George A. Allen, Esquire, of Erie City, and W. L. Bird, Esquire, of Pittsburg, State of Pennsylvania, and William R. Woostaff, Esquire, of Paola, State of Kansas, be admitted to practice as attorneys and counsellors

of this Court and they were sworn accordingly.

1248. Robert W. Waterman, Appellant vs. Abbie L. Waterman and J. L. Porter

1249. Appellant vs. Abbie L. Waterman.

Mr. William M. Stewart, of counsel for the appellants, suggested the death of Abbie L. Waterman, the appellee in these cases, after the final decree herein in the Circuit Court of the United States for the Northern District of California and before the appeals herein were allowed, and submitted to the consideration of the Court motions for orders pursuant to paragraph 3 of the 15th rule of this Court that James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, make himself a party to these cases.

9. The American Railway Improvement Company vs. Plff. in Error, Seymour D. Carpenter et al. — On motion of Mr. James Lowndes, in behalf of counsel. It is ordered by the Court that this cause be passed, for settlement by the parties.

Ex parte: In the matter of The Chateaugay Ore & Iron Company, Petitioner. — Mr. Frank E. Smith, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus and for a rule to show cause why said writ should not issue.

12. Timothy Case, Receiver &c., vs. Appellant David M. Kelly et al. — Mr. Walter C. Larned, of counsel for the appellant, presented to the Court the written appearance of the heirs and representatives of Henry

Kelchum, deceased, and submitted to the consideration of the Court a motion that they be made parties appellees in this cause and that an order be entered requiring them to file a brief herein within thirty days, in default whereof they will be held bound by the decision of the Court to be rendered herein.

195. The County of Livingston, Plff. in Error vs. The First National Bank of Portsmouth, N. H. — This cause was submitted to the consideration of the Court under the 20th rule, on the record and printed arguments by Mr. Henry A. Ess, of counsel for the plaintiff in error, and Mr. George S. Eldredge, of counsel for the defendant in error.

846. The United States, Appellant vs. The American Bell Telephone Company — On motion of Mr. Solicitor General Jenks, Ordered by the Court that counsel on each side be allowed four hours for the argument of this cause.

846. The United States, vs. Appellant
The American Bell Telephone Co. Appellee

The argument of this cause was commenced by Mr. A. G. Thurman and continued by Mr. Jeff. Chandler, of counsel for the appellant, and by Mr. J. J. Storrow, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 10th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q.C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel F. Phillips it is ordered that J. Tullin and John W. Graham, Esquires, of "Hillsboro", State of North Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Randolph Tucker it is ordered that Frank J. Sullivan Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Goode it is ordered that W. H. Burroughs, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Semmes it is ordered that Girault Farrar, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. M. F. Cardozo it is ordered that Daniel P. Hays, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1189. Lewis N. Clark, vs. Plff. in Error The Commonwealth of Pennsylvania

and

1190. Lewis N. Clark, vs. Plff. in Error The Commonwealth of Pennsylvania

Mr. W. L. Bird, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

846. The United States vs. Appellant The American Bell Telephone Co.

The argument of this cause was continued by Mr. E. J. Storrow and Mr. E. F. Dickerson, of counsel for the appellee and concluded by Mr. Solicitor General Jenks, of counsel for the appellant.

Proclamation being made the Court is adjourned

Thursday. October 11th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley } Associate
John M. Harlan } Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

990. The Nashville, Chattanooga & St. Louis Railway Co., Plff. in Error, vs. The State of Alabama.

This cause was argued by Mr. Oscar R. Nundley, of counsel for the plaintiff in error, and Mr. T. N. McClellan, of counsel for the defendant in error.

781. William L. Asher, Plff. in Error
vs.
The State of Texas.

The argument of this cause was commenced by Mr. Abel Crook, of counsel for the plaintiff in error, and continued by Mr. J. E. Hoog, of counsel for the defendant in error, and Mr. Crook, for the plaintiff in error.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 12th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Q. Keasbey it is ordered that Ambrose A. Merrick, Esquire, of Minneapolis, State of Minnesota, and Andrew Wesley Kent, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Charles Poe, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

781. William G. Asher vs. Plff. in Error, The State of Texas.

The argument of this cause was concluded by Mr. Abel Crook, of counsel for the plaintiff in error.

788. The United States vs. Plaintiff Joseph W. Lacher.

Ordered by the Court that this cause be, and the same is hereby, passed.

791. The U. S. ex rel: Oscar Dunlap. vs. Plff. in Error, John C. Black, Commissioner &c.

792. The U. S. ex rel: Frank Rose, vs. Plff. in Error, John C. Black, Commissioner &c.

These cases were argued by Mr. J. G. Bigelow, of counsel for the plaintiffs in error, and Mr. Assistant

And

	The U.S. ex rel: Charles R. Miller. vs. Plff. in Error John C. Black, Commissioner &c	Attorney General Maury, of counsel for the defendant in error.
993.		
	The Home Insurance Co. of New York, vs. Plff. in Error The People of the State of New York:	Ordered by the Court that this cause be, and the same is hereby, passed.
1.		
	The Western Union Telegraph Company, vs. Appellant, The Baltimore & Ohio Railroad Company.	Appeal from the Circuit Court of the United States for the District of Maryland.
7.		

This cause being called for hearing in its regular order and it appearing to the Court that this is the second term at which this cause has been called for hearing and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellant.

pursuant to the 19th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Edward Kane
8. vs. Plff. in Error,
The Northern Central
Railway Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James N. Gable, of counsel for the plaintiff in error, and Mr. Wayne Mac Veagh, of counsel for the defendant in error.

Joel Johnson
15. vs. Appellant,
George Christian
and Jerry Stuart.

This cause was submitted to the consideration of the Court on the record and printed arguments

by Mr. D. H. Reynolds and Mr. S. H. Garland, of counsel for the appellant, and Mr. H. M. Rose, of counsel for the appellees.

14.	The United States, vs. The Marshall Silver Mining Company et al. Appellant,	Ordered by the Court that this cause be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 15th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John K. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that William E. Fuller, Esquire, of West Union, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Rouse it is ordered that Marcus A. Smith, Esquire, of Tombstone, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Cary it is ordered that Moses E. Clapp, Esquire, of Fergus Falls, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Blair it is ordered that Ida M. Bittenbender, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. C. Clayton it is ordered that Henry Applington, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

12. Timothy Case, Receiver &c., vs. Appellant David M. Kelly et al. On consideration of the motion of Mr. W. C. Larned, of counsel for the appellant, to make certain heirs and representatives of Henry Kelchum, deceased, appellees in this cause, It is ordered that upon the filing of an affidavit or affidavits that the persons named in the papers on file are the sole heirs and representatives of the said Henry Kelchum, deceased, an order will be entered making them parties, and that they &c, and are hereby, granted ninety days from the filing of such affidavit or affidavits within which to file briefs, but in the event of such affidavit not being filed within ninety days from the date of this order, an order of publication under the

first section of Rule 15 will be issued upon application of counsel for the appellant to the Clerk without the further order of this Court.

per Mr. Chief Justice Fuller.

Robert W. Waterman
vs. Appellant
Abbie L. Waterman.

1248. On consideration of the suggestion of the death of Abbie L. Waterman, the appellee in this cause, after final decree herein in the Circuit Court of the United States for the Northern District of California and before the appeal herein was prayed and allowed, and of the motion for an order, under paragraph 3 of Rule 15 of this Court, that James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, make himself a party to this cause, It is now here ordered by the Court that unless said James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, shall make himself a party to this cause within the first ten days of

the ensuing term of this Court, the appellant shall be entitled to open the record and, on hearing, have the decree reversed, if it be erroneous, Provided, however, that a proper citation reciting the substance of this order shall be served upon the said James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, either personally or by being left at his residence, at least 60 days before the beginning of the term of this Court next ensuing.

Per Mr. Chief Justice Fuller.

J. L. Foster
vs.
Abbie L. Waterman

On consideration of the suggestion of the death of Abbie L. Waterman, the appellee in this cause after final decree herein in the Circuit Court of the United States for the Northern District of California, and before the appeal herein was prayed and allowed, and of the motion for an order, under paragraph 3 of Rule 15 of this Court, that James M. Banks,

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Executor of the last will and testament of Abbie L. Waterman, deceased, make himself a party to this cause. It is now here ordered by the Court that unless said James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, shall make himself a party to this cause within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record and, on hearing, have the decree reversed if it be erroneous, Provided, however, that a proper citation reciting the substance of this order shall be served upon the said James M. Banks, Executor of the last will and testament of Abbie L. Waterman, deceased, either personally or by being left at his residence, at least sixty days before the beginning of the term of this Court next ensuing.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Chateaugay Ore and Iron Company 3, Original. Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Chateaugay Ore and Iron Company 3, Original. Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Chateaugay Ore and Iron Company 3, Original. Petitioners.

On consideration of the petition for a writ of mandamus herein, and on

motion of Mr. Frank E. Smith, of counsel for the petitioner,

It is now here ordered by this Court that cause be shown by the Honorable Nathaniel Shipman, District Judge of the United States for the District of Connecticut, sitting as a Circuit Judge in and for the Southern District of New York, and Theodore A. Blake, before this Court, on Monday, the 12th day of November A. D. 1888, at twelve o'clock, noon, or as soon thereafter as counsel can be heard, why a writ of mandamus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

1180. Lewis N. Clark, vs. Pff. in Error The Commonwealth of Pennsylvania.

1190. Lewis N. Clark and vs. Pff. in Error The Commonwealth of Pennsylvania.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is

hereby, granted and the cases assigned for argument on Monday, October 29th.

Per Mr. Chief Justice Fuller.

	William A. Purdy.	Mr. Charles C.
96.	vs. Plff. in Error,	Lancaster, in be-
	The Town of Lansing.	half of counsel.

Suggested the death of William A. Purdy, the plaintiff in error in this cause, and moved the Court to make Harriet A. Purdy, Administratrix of William A. Purdy, deceased, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said Harriet A. Purdy, Administratrix of William A. Purdy, deceased, be, and she is hereby, made the party plaintiff in error in this cause.

	Adam Badeau	Mr. Daniel C.
659.	vs. Appellant,	Hays, of counsel
	The United States.	for the appellant.

Submitted to the consideration of the Court a motion to advance this cause.

436. Stephen C. Mills vs. Plff. in Error, Stephen Dow.

The death of Stephen Dow, the defendant in error in this cause, having been suggested and an order of publication granted at the last term of this Court, it is now here ordered, on motion of Mr. Frank W. Hackett in behalf of counsel, that Montressor T. Allen, Administrator of Stephen Dow, deceased, &c., and he is hereby, made the party defendant in error in this cause.

152. Hezekiah Bradford, vs. Plff. in Error, Harriet C. Miller et als. Administrators &c.

Mr. (R. D. Murray, of counsel for the plaintiff in error, submitted to the considera-

tion of the Court a motion for an alias citation, pursuant to section 3 of the 15th rule, to be directed to Harriet C. Miller, and that this cause be continued until the next term.

Ex parte: In the matter of The Farmers Loan & Trust Company Petitioners. Mr. Herbert B. Turner, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus and for a rule to show cause why said writ should not issue.

33. J. N. W. Culliford et al. vs. A. J. Gomila & Larned Torrey as Gomila & Company. Appellants Mr. J. D. Rouse, of counsel for the appellees, suggested the death of A. J. Gomila, one of the appellees herein, and moved the Court to make John B. Vinet, Public Administrator, as Administrator of said A. J. Gomila, a party appellee. Whereupon, It is now here ordered by the Court that John B. Vinet, Public Admr., as Administrator of A. J. Gomila, &c, and he is hereby, made a party appellee in this cause.

	The Metropolitan Railroad Co.,	On motion of Mr.
24.	vs. Pltff. in Error,	H. E. Davis, in be
	The District of Columbia.	half of counsel, it is ordered by the Court that this cause be, and the

same is hereby, passed, on account of sickness of counsel.

	The Howe Machine Co., etal.,	The motion
479.	vs. Appellants,	to amend the
	The National Needle Company.	record in
	and,	these cases
	The Howe Machine Co., etal.,	was submit-
480.	vs. Appellants	ted to the
	Alonzo H. Whitten et al.	consideration

of the Court on printed arguments by Mr. St. Dumont in support of the same, and Mr. John E. Abbott in opposition thereto.

	The St. Paul, Minneapolis &	The motion to
	Manitoba Railway Co.,	dismiss in this
1149.	vs. Pltf. in Error,	cause was
	The County of Todd, Minn.	submitted to the

consideration of the Court on printed arguments by Mr. Moses E. Clapp, in support of the same, and Mr. P. C. Benton, in opposition thereto.

	The Chicago, Milwaukee & St. Paul Railway Company,	The motion to dismiss the writ of error or affirm the judgment in this cause was submitted to the consideration of the Court on printed arguments
1113.	vs. Plff. in Error,	
	The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota.	

by Mr. Moses E. Clapp, in support of the same, and Mr. John W. Cary, in opposition thereto.

	The United States	On motion of Mr.
14.	vs. Appellant,	Assistant Attorney
	The Marshall Silver Mining Company et al.	General Maury,

leave is hereby granted the Attorney General to file a statement in this cause.

17.	The United States vs. Appellant, The Marshall Silver Mining Company et al.	The motion to dismiss this appeal was argued by Mr. R. E. Morrison, in support of the same, and Mr. J. K. Redington, in opposition thereto.
19.	Henrietta C. Keller, vs. Appellant, Isabella W. Ashford, Executrix &c.	The argument of this cause was commenced by Mr. Walter D. Dawidge, of counsel for the appellant, and continued by Mr. Calderon Carlisle and Mr. George F. Edmunds, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 15th 1888.

Pursuant to adiournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The United States vs. Appellant.
The Marshall Silver Mining Company et al.

On motion of Mr. Assistant Attorney General Maury, leave is hereby granted to the Attorney General to amend the statement submitted herein on the 15th instant.

17.

	Henrietta C. Keller	The argument of
9.	vs. Appellant	this cause was
	Isabella W. Ashford,	continued by
	Executrix &c.	Mr. George F.
		Appleby, of coun-

sel for the appellees, and concluded by Mr. Walter D. Davidge, of counsel for the appellant.

	Bernard B. Hand,	Ordered by the
22.	vs. Plff. in Error,	Court that these
	The State of Louisiana.	cases be, and
	And	they are hereby,
	The State of North Caro-	passed for ar-
	lina et al.;	gument before
587.	vs. Appellants	a full bench,
	Alfred H. Tembler.	the cases to be
		restored to the

call under the provisions of section 7 of the 25th rule.

	The Vacuum Oil Company	Appeal from the
25.	vs. Appellant	Circuit Court of
	The Buffalo Lubricating	the United States for
	Oil Company (Limited).	the Northern District
		of New York.

This cause having been argued at the last term of the Court and held under advisement until the present term, and it now appearing that a stipulation to dismiss the cause has been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

2nd. The Western Union Telegraph Company et al., vs. The Baltimore & Ohio Telegraph Company. Appellants

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause being called for hearing in its regular order and it appearing to the Court that this is the second term at which this cause has been called for hearing and that neither party is now prepared to argue the same, It is considered by the Court that this cause should be

dismissed at the cost of the appellants, pursuant to the 19th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

28. The Georgia Railroad and Banking Company vs. Pltff. in Error, James M. Smith et al., Railroad Commissioners.

The argument of this cause was commenced by Mr. Ed. Baxter, of counsel for the plaintiff in error, and continued by Mr. Clifford Anderson, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 17th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Gantt it is ordered that Robert E. Collins, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

538. The First National Bank of St Johnsbury, vs. Plff. in Error, George W. Hendee, Receiver &c.

Mr. J. K. Rouse presented a stipulation signed by the parties to this cause, to affirm the judgment of the Circuit Court of the United States for the District of Vermont in this cause and moved the Court to enter a judgment pursuant thereto. Whereupon the Court not being now here sufficiently advised of and concerning what order to render took time to consider.

28. The Georgia Railroad & Banking Company, vs. Plff. in Error, James M. Smith et al., Railroad Commissioners &c.

The argument of this cause was concluded by Mr. Ed. Baxter, of counsel for the plaintiff in error.

The Central National Bank of Washington City et al., Appellants vs. Annie G. Hume et al.

And

Annie G. Hume, Appellant vs. The Central National Bank of Washington City et al.

90.

30.

The argument of these cases was commenced by Mr. R. Ross Perry, of counsel for the Central National Bank et al., and continued by Mr. Enoch Totten, of counsel for Annie G. Hume et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 18th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that William A. Beach, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

538. The First National Bank of St. Johnsbury, Plff. in Error, vs. George W. Hendee, Receiver of The Vermont National Bank of St. Albans. } In Error to the Circuit Court of the United States for the District of Vermont.

This cause being called to the attention of the Court by Mr. J. D. Rouse, in behalf of the parties, and a stipulation to affirm the judgment of the Circuit Court of the United States for the District of Vermont in this cause having been filed, which stipulation is in the following words, viz:

"It is hereby stipulated and agreed by the parties in the above entitled cause that the judgment below may be affirmed for the sum of twenty-nine thousand, four hundred and fifty-four dollars and eighty-four cents without costs.

First National Bank of St. Johnsbury, Vt.
(Seal) by Franklin Fairbanks, President
Geo. W. Hendee

Receiver of Vermont National Bank
of St. Albans.
St. Johnsbury, Vt.
Oct. 16, 1888."

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed for the sum of twenty-nine thousand four hundred and fifty-four dollars and eighty-four cents, without costs.

Per Mr. Chief Justice Fuller.

56. The Western Union Telegraph Company vs. Plff. in Error The Commonwealth of Pennsylvania.

This cause was submitted to the consideration of the Court, under the 20th rule, on the record and printed arguments by Mr. M. E. Olmsted, of counsel for the plaintiff in error, and Mr. W. S. Kirkpatrick, of counsel for the defendant in error.

Ex parte: In the matter of David S. Terry, Petitioner. — Mr. Samuel Shellabarger, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

34. Howard S. Lovejoy et al., Plffs. in Error, vs. The United States. — This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. M. Thurston, of counsel for the plaintiffs in error, with leave to the Attorney General to file a printed argument on or before the 25th instant.

29. The Central National Bank of Washington City et al., Appellants vs. Annie G. Hume et al. — The argument of these cases was concluded by Mr. Enoch Totten, of counsel for Annie G. Hume et al.,

30. Annie G. Hume and Annie G. Hume, Appellant vs. The Central National Bank

and leave was granted Mr. Walter D. Davidge, of counsel for the Central National Bank et al., to file an additional brief and Mr. Totten to file a reply thereto.

31. Pullman's Palace Car Co., vs. Plff. in Error, The Commonwealth of Pennsylvania. — The argument of this cause was commenced by Mr. William Burry, of counsel for the plaintiff in error, continued by Mr. W. S. Kirkpatrick, of counsel for the defendant in error, and concluded by Mr. E. S. Isham, of counsel for the plaintiff in error.

32. Pullman's Palace Car Company vs. Plff. in Error, The Commonwealth of Pennsylvania. — In Error to the Supreme Court of the State of Pennsylvania.

This cause being called for hearing in its regular order and counsel for the respective parties being present, Mr. John F.

Sanderson, of counsel for the defendant in error, consenting in open Court to a reversal of the judgment of the Supreme Court of the State of Pennsylvania in this cause, and a stipulation of counsel for the respective parties being also filed in the words and figures as follows, viz:

"In the Supreme Court of the United States.

Pullman's Palace Car Co.

vs. No. 32.

Commonwealth of Pennsylvania. Oct. Term 1888.

It is hereby stipulated that judgment in the above entitled cause be reversed, and cause remanded for further proceedings.

Wm Burry

of counsel for plaintiff in error.

Jno. F. Sanderson

Deputy Attorney General of Pennsylvania."

It is, therefore, now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said

Supreme Court for further proceedings.
per Mr. Chief Justice Fuller.

33. G. N. W. Culliford et al., Appellants, vs. John B. Vinet, Public Adm^r., Adm^r. of A. J. Gonila, dec'd., et al.

The argument of this cause was commenced by Mr. J. R. Beckwith, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 19th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

605. Pullman's Palace Car Co., Appellant vs. N. N. Hayward, Treasurer &c. Mr. S. B. Bradford, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

1154.	William Baldwin, vs. Plff. in Error, The State of Kansas.	On motion of Mr. S. B. Bradford, of counsel for the defendant in error,

It is now here ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, December 17th next.

33.	J. N. W. Cullisford et al., Appellants, vs. John B. Finet, Public Adm'r, as Adm'r of A. J. Tomila, dec'd., et al.	The argument of this cause was continued by Mr. J. R. Beckwith, of counsel for

the appellants, and Mr. S. D. Rouse, of counsel for the appellees, and concluded by Mr Beckwith, for the appellants.

35. The Crescent Brewing Co., Appt., vs. Matthew Gottfried.

36. Rachel S. Gaff, Executrix &c., Appt., vs. Matthew Gottfried.

37. Eugene Nack et al., Appts., vs. Matthew Gottfried.

On motion of Mr. R. N. Parkinson. of counsel for the appellants, It is ordered by the Court that counsel on each side be allowed three hours for the argument of these cases.

35. The Crescent Brewing Co., Appt., vs.
Matthew Gottfried.

36. Rachel S. Gaff, Executrix &c., Appt., vs.
Matthew Gottfried.

37. Eugene Hack et al., Apptˢ., vs.
Matthew Gottfried.

The argument of these cases was commenced by Mr. R. N. Parkinson, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 22d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Edward S. Rapallo, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. W. P. Clough it is ordered that M. D. Grover, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. F. Morris it is ordered that B. Howard Haman and W. A. Hammond, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

779. John S. Kidd, vs. Plff. in Error. S. E. Pearson and S. J. Loughran. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

The Leather Manufacturers' National Bank, vs. Plff. in Error, The Merchants National Bank. — In Error to the Circuit Court of the United States for the Southern District of New York.

10.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to

order a new trial.

per Mr. Justice Gray.

(Mr. Justice Blatchford did not sit in this case or take any part in the decision.)

James A. Robinson, Caroline N. Robinson, his wife, and J. B. Schroeder, Jr., Administrator with the will annexed of Horace Hawes, deceased, vs. Plffs. in Error, James G. Fair. — In Error to the Circuit Court of the United States for the District of California.

18.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States

for the Northern District of California.
per Mr. Justice Harlan.

8. Edward Kane, Plff. in Error, vs. The Northern Central Railway Company. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.
per Mr. Justice Harlan.

105 of O.T. 1887.

O. N. Williams vs. Pfff in Error, E. D. Conger et al.

Leave to file a motion for rehearing of this case is asked for on the ground of clerical error in the opinion. A motion for rehearing was made at the last term upon precisely the same brief now sought to be filed, and notwithstanding the alleged misconception in the opinion of the point made by the plaintiff in error, the court was satisfied with the conclusion it had reached, and that no modification of the judgement was required, and no rehearing was necessary or called for. The motion was therefore denied. The persistent renewal of the application at this time, after the close of the term at which judgment was rendered, and especially upon the same reasons once overruled, is not in order, and does not recommend itself to the favorable consideration of the Court.

Per Mr. Justice Bradley.

991. The United States ex rel: Oscar Dunlap, vs. Plff. in Error, John C. Black, Commissioner of Pensions. — In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

992. The United States ex rel: Frank Rose, vs. Plff. in Error, John C. Black, Commissioner of Pensions. — In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The United States ex rel: Charles R. Miller, Plff. in Error, vs. John C. Black, Commissioner of Pensions. Def.

In Error to the Supreme Court of the District of Columbia.

903.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said

Supreme Court with instructions to grant a rule to show cause as applied for by the petitioner.

per Mr. Justice Bradley.

The Nashville, Chattanooga & St. Louis Railway		In Error to the Supreme Court
290.	vs. Pff. in Error,	of the State of
The State of Alabama.		Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Clarence P. Hunt,		On consideration
16.	vs. Appellant,	of the motion to
Sallie S. Blackburn et al.		vacate the decree of dismissal

entered herein on April 9th, 1888. It is now here ordered by the Court that said decree be, and the same is hereby, vacated and the cause restored to the docket.

per Mr. Chief Justice Fuller.

17. The United States, vs. Appellant, The Marshall Silver Mining Company et al. On consideration of the motion to dismiss this appeal and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

It is further ordered that this cause be, and the same is hereby, assigned for argument on November 15th next, at the foot of the call for that day.

per Mr. Chief Justice Fuller.

152. Hezekiah Bradford, vs. Plff. in Error, Harriet C. Miller et al., Administrators vc. On consideration of the motion for an alias citation, pursuant to

section 3 of Rule 15 of this Court, and that this cause be continued until the next term. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

479. The Howe Machine Company and George P. Deshon, Assignee in Insolvency of John F. Wood, Appellants vs. The National Needle Company.

480. The Howe Machine Company and George P. Deshon, Assignee &c., Appellants vs. Alonzo H. Whitten et al.

On consideration of the motion to amend the record in these causes, by making George P. Deshon, Assignee in Insolvency of John F. Wood, a party appellant, and also for leave to file assignment of letters patent assigned to said Wood and by said Wood assigned to said George P. Deshon, December 10, 1886. It is now here ordered by the Court that said George P. Deshon, Assignee &c., be, and he is hereby, authorized to prosecute the appeals

in these causes as one of the appellants, and leave is hereby granted him to file the assignment referred to.

per Mr. Chief Justice Fuller.

659. Adam Badeau, Appellant, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1113. The Chicago, Milwaukee & St. Paul Railway Company, Plff. in Error, vs. The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota. On consideration of the motions to dismiss the writ of error or affirm the judgment in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

The St. Paul, Minneapolis & Manitoba Railroad Company,
1149. vs. Plff. in Error,
The County of Todd,
Minnesota.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of
The Farmers Loan & Trust
Company,
Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Farmers Loan & Trust Company,

4. Original. Petitioner.

On consideration of the petition for a writ of mandamus herein and on motion of Mr. Herbert B. Turner, of counsel for petitioner,

It is now here ordered by this Court that cause be shown by the Circuit Court of the United States for the Northern District of Texas before this Court, on Monday the 19th day of November, A. D. 1888, at 12 o'clock, noon, or as soon thereafter as counsel can be heard, why a writ of mandamus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Pullman's Palace Car Co.,

605. vs. Appellant

M. H. Hayward, Treasurer &c.

On consideration of the motion to advance

this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned

for argument on the third Monday in December, immediately after cto. 1154 heretofore assigned for that day.

per Mr. Chief Justice Fuller.

	The Western Union Telegraph Company.	In Error to the Supreme Court of
56.	vs. Plff. in Error,	the State of
	The Commonwealth of Pennsylvania.	Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for such further proceedings as justice may require.

per Mr. Chief Justice Fuller.

1409.	Henry W. Gaehner, vs. Appellant. The People of the State of New York.	On motion of Mr. Roger M. Sherman, of counsel for the appellant, It is now

here ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, the 29th instant.

1037.	Thomas C. Chappell, vs. Plff. in Error, John B. Bradshaw.	The motions to dismiss the writ of error or affirm the judgement in this

cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. A. Hammond and Mr. B. Howard Haman, in support of the same, and Mr. W. L. Fisher, in opposition thereto.

654.	Henry Bier, vs. Plff. in Error The City of New Orleans.	In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause being called to the attention of the Court by Mr. E. B. Kruttschnitt, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

655. Robert R. Prentiss, vs. The City of New Orleans. Pltf. in Error. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause being called to the attention of the Court by Mr. E. B. Kruttschnitt, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause

be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

686. John B. Whitehead, Plff. in Error, vs. The City of New Orleans. — In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause being called to the attention of the Court by Mr. E. B. Kruttschnitt, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Hollon Parker, Petitioner. — Mr. John H. Mitchell, of counsel for the petitioner, submitted to the

consideration of the Court a motion for leave to file a petition for a writ of mandamus.

672. W. H. Robertson, Collector &c., vs. Chas. L. Perkins. Plff. in Error, Mr. J. Langdon Ward, of counsel for the defendant in error,

suggested the death of Charles L. Perkins, the defendant in error in this cause, and moved the Court to make C. Lawrence Perkins and Stephen N. Olin, Executors of Charles L. Perkins, deceased, the parties defendants in error herein. Whereupon, It is now here ordered by the Court that C. Lawrence Perkins & Stephen N. Olin, Executors of Charles L. Perkins, deceased, be, and they are hereby, made the parties defendants in error in this cause.

1044. The Plano Manufacturing Co., vs. A. B. Graham et al. Appellant. Mr. J. M. Thacher, of counsel for the appellant, submitted to the consideration

of the Court a motion to advance this cause and assign it for argument with No. 108 on the present docket.

1414. Horace Boughton and W. Bowen Moore, firm of Boughton & Moore, vs. The Charter Oak Life Insurance Company. Daniel Phillips & Henry H. Tallmadge. Appellants.

Mr. S. R. Bond, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"In the Supreme Court of the District of Columbia.

I, R. J. Meigs, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in a cause lately pending in said Court wherein Horace Boughton and W. Bowen Moore, firm of Boughton & Moore, were complainants, and Charter Oak Life Insurance Company, Daniel Phillips and Henry H. Tallmadge, were defendants, a final decree was rendered by said Supreme Court on the 13th day of November, 1885, in favor defendants and against said complainants and that on the 19th day of October 1887 said complainants prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of the said Supreme Court this 22d day of October, 1888.

(Seal)

R. J. Meigs.
Clerk Supreme Court D. C.
by L. P. Williams, Asst. Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

35. The Crescent Brewing Co., Appt., vs.
Matthew Gottfried.

36. Rachel S. Gaff, Executrix &c., Appt., vs.
Matthew Gottfried.
Eugene Hack et al., Appts. vs.
Matthew Gottfried.

The argument of these cases was continued by Mr. R. N. Parkinson, of counsel for the appellants, and Mr. Thomas A. Banning, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 23d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. O. Claughton it is ordered that Campbell W. Bushnell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

35. The Crescent Brewing Co., Appt., vs.
Matthew Gottfried.
36. Rachel S. Gaff, Executrix &c., Appt., vs.
Matthew Gottfried.
37. Eugene Mack et al., Appts. vs.
Matthew Gottfried.

The argument of these cases was continued by Mr. Thomas A. Banning, of counsel for the appellee, and concluded by Mr. R. H. Parkinson, of counsel for the appellants.

38. John S. Prouty, vs. Plff. in Error, The Lake Shore & Michigan Southern Railway Co. The argument of this cause was commenced by Mr. Lucien Birdseye, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 24th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Eppa Hunton it is ordered that Marshall McCormick, Esquire, of Berryville, State of Virginia, and Willis Van Devanter, Esquire, of Cheyenne, Territory of Wyoming, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

103.	Thomas C. Chappell, vs. Plff. in Error, John B. Bradshaw.	On motion of Mr. Thomas C. Chappell, the plaintiff in error,

leave is hereby granted him to file a supplemental brief in opposition to the motions to dismiss or affirm in this cause.

38.	John S. Prouty, vs. Plff. in Error, The Lake Shore & Michigan Southern Railway Co.	The argument of this cause was continued by Mr. Lucien Birdseye, of counsel for the

plaintiff in error, and Mr. Edward S. Rapallo, of counsel for the defendant in error, and concluded by Mr. Birdseye, for the plaintiff in error.

39.	The Liggett & Myers Tobacco Co., vs. Appellant, Rudolph Finzer.	This cause was argued by Mr. R. A. Batewell, of counsel for the appellant. No counsel ap-

peared for the appellee.

William Glasgow Jr., Commissioner &c., vs. Plff. in Error, John Baker et al. 40.

On motion of Mr. Mr L. Gray, of counsel for the plff. in error, It is ordered by the Court that counsel for each side be allowed four hours for the argument of this cause and that three counsel be allowed to argue for the defendants in error.

William Glasgow Jr., Commissioner &c., vs. Plff. in Error, John Baker et al. 40.

The argument of this cause was commenced by Mr. Elmer B. Adams, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 25th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

753. The Continental Life Insurance Company of Hartford, Connecticut, vs. Ann Eliza Rhoads, Administratrix of Maris Rhoads, deceased. Pltf. in Error } In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause being called to the attention of the Court by Mr. J. K. McCammon,

in behalf of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

753. The Continental Life Insurance Co. of Hartford, Conn., vs. Pelf. in Error, Ann Eliza Rhoads, Adm'x &c. — On motion of Mr. J. K. McCammon, in behalf of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

105. Alfred Carr, Superintendent &c., vs. Appellant, William E. Hamilton. — Mr. A. L. Bland and, of counsel for the appellee, suggested the death of William E. Hamilton, the appellee herein, and moved the Court to make John L. Hamilton, Executor of William E. Hamilton, deceased, the party appellee in this cause.

Whereupon, It is now here ordered by the Court that the said John C. Hamilton, Executor of William E. Hamilton, deceased, be, and he is hereby, made the party appellee in this cause.

106. The City of Shreveport, vs. Plff. in Error. ..... Benjamin Jacobs et al. and Andrew Currie, Mayor et al. Defts. in Error.

107. The U. S. ex rel: Benjamin Jacobs et al. vs. Plffs. in Error. .....

Mr. A. C. Blanchard, of counsel for the defendants in error, suggested the death of Benjamin Jacobs, one of the defendants in error herein, and moved the Court to make R. T. Cole and R. E. Jacobs, Executors of Benjamin Jacobs, deceased, parties defendants in error in these cases. Whereupon, It is now here ordered by the Court that the said R. T. Cole and R. E. Jacobs, Executors of Benjamin Jacobs, deceased, be, and they are hereby, made parties defendants in error in these cases.

Wm Glasgow Jr.,
Commissioner &c.
40. vs. Plff. in Error,
John Baker et al.

The argument of this cause was continued by Mr. Elmer B. Adams, of counsel for the plaintiff in error, and Mr. Charles Gibson and Mr. Robert E. Collins, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 26th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Samuel Blatchford
Lucius Q. C. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. T. T. Gantt it is ordered that Henry U. Freeman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Glasgow Jr., Commissioner &c., vs. Plff. in Error, John Baker et al.

40.

The argument of this cause was continued by Mr. Robert C. Collins and Mr. T. T. Gantt, of counsel for the defendants in error, and concluded by Mr. John W. Dryden, of counsel for the plaintiff in error.

George D. Cragin, vs. Appellant, C. L. Powell et al.

41.

This cause was argued by Mr. E. D. Rouse, of counsel for the appellant, and submitted on a printed argument by Mr. J. S. Whitaker, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 29th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. L. Bragg it is ordered that Mackenzie Semple, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered

that James M. Kerr, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The County of Livingston, in the State of Missouri		In Error to the Circuit Court of the United States for the Western District of Missouri.
195.	vs. Plff. in Error,	
The First National Bank of Portsmouth, New Hampshire.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Blatchford.

	J. N. W. Culliford and John S. Clark, copartners as Culliford & Clark et al.	Appeal from the Circuit
33.	vs. Appellants,	Court of the
	John B. Vinet, Public	United States
	Administrator. Cs Admin-	for the Eastern
	istrator of A.J. Gomila,	District of
	deceased, and Larned	Louisiana.
	Torrey, surviving partner	
	of the firm of A. J.	
	Gomila & Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree dismissing the libel with costs to the respondents in

the District Court and in the Circuit Court.

per Mr. Justice Blatchford.

781. William G. Asher, Pltff. in Error, vs. The State of Texas. In Error to the Court of Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with instructions to discharge the plaintiff in error from the imprisonment complained of.

per Mr. Justice Bradley.

28. The Georgia Railroad and Banking Company vs. Plff. in Error, James M. Smith, Campbell Wallace and Leander J. Trammell, Railroad Commissioners of Georgia, and Clifford Anderson, Attorney General of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

38. John S. Prouty, vs. Plff. in Error, The Lake Shore & Michigan Southern Railway Company. It is now here ordered by the Court that this cause be re-argued on a

day to be hereafter fixed by the Court.

per Mr. Chief Justice Fuller.

The Plano Manufacturing Co. vs. A. B. Graham et al. Appellant,

On consideration of the motion to advance this cause and assign the same for argument with c/to. 108, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is granted to the counsel in this case to file printed briefs in c/to. 108 upon the questions deemed identical in the two cases.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Hollon Parker, Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Hollon Parker, Petitioner. } Original. On consideration of the petition for a writ of mandamus herein, and on motion of Mr. John N. Mitchell, of counsel for petitioner,

It is now here ordered by the Court that cause be shown by the Supreme Court of the Territory of Washington and the Chief Justice and Associate Justices thereof, before this Court, on Monday, the 14th day of January, A. D. 1889, at 12 o'clock, noon, or as soon thereafter as counsel can be heard, why a writ of mandamus should not issue as prayed in said petition.

Per Mr. Chief Justice Fuller.

Thomas C. Chappell, Plf. in Error, vs. John B. Bradshaw. } 103. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on the motion to dismiss the writ of error or affirm.

the judgment, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Order.

Whereas, by the Act of Congress of October 2d, 1888, entitled "An Act making appropriations for the sundry civil expenses of the government for the fiscal years ending June 30, 1889, and for other purposes" there is appropriated "for a stenographic clerk for the Chief Justice and for each of the Associate Justices of the Supreme Court at a sum not exceeding $1600 each", and whereas, in accordance with that act, certain persons have already been and others may hereafter be, designated and engaged at a compensation of $1600, to act as stenographic clerks to the justices respectively for the said fiscal years,

It is therefore ordered by the Court that the appointments of such stenographic clerks by the Chief Justice and Associate Justices

of this Court heretofore made and filed with the Marshal of this Court be by him filed with the Clerk of the Court, and that when so filed, the Clerk is hereby directed to notify the Attorney General of the United States of such appointments.

993. The U.S. ex rel. Charles R. Miller, vs. Plff. in Error, John C. Black, Commissioner &c.

On motion of Mr. J. G. Sigelow, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

991. The U.S. ex rel. Oscar Dunlap vs. Plff. in Error, John C. Black, Commissioner &c.

And

992. The U.S. ex rel. Frank Rose, vs. Plff. in Error, John C. Black, Commissioner &c.

On motion of Mr. Assistant Attorney General Maury, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandates in these cases.

The First National Bank of Chicago vs. Chester C. Corbin. 136 Appellant,

On motion of Mr. J. M. Flower, of Counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with No. 430 on the present docket, the two cases to be argued as one case.

Julius N. Graves and James M. Flower, Curtis N. Remy and Stephen S. Gregory, vs. Chester C. Corbin. 430. Appellants,

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called to the attention of the Court by Mr. J. M. Flower, of Counsel for the appellants, and he having moved in open Court that the appeal of James M. Flower, Curtis N. Remy and Stephen S. Gregory, three of the appellants in this cause, be dismissed, and a stipulation of counsel to that effect having been filed, It is, therefore, in pursuance of said motion and

Stipulation now here ordered, adjudged and decreed by this Court that the appeal of James M. Flower, Curtis N. Remy and Stephen E. Gregory in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Julius N. Graves, Appellant, vs. Chester C. Corbin. and The First National Bank of Chicago, Appellant, vs. Chester C. Corbin.

430. 1367.

The motion to extend the provisions of section 9 of the 10th rule of this Court to these cases was submitted to the consideration of the Court by Mr. J. M. Flower, in support of the same, and Mr. W. J. Manning, in opposition thereto.

Sallie J. Henderson, Appellant, vs. The Central Passenger R.R. Co. and The Louisville City Railway Co., Appellant, vs. The Central Passenger R.R. Co.

905. 906.

On motion of Mr. John Mason Brown, of counsel for the appellants, It is ordered

by the Court that the appellants in these cases be granted ninety days from this date within which to avail themselves of the provisions of the 9th section of the 10th rules.

Henry Amy et al. vs. Plffs. in Error, The City of Watertown. 106.

Mr. W. A. McKenney, in behalf of counsel for the plaintiffs in error, suggested a diminution of the record in this cause and submitted to the consideration of the Court a motion for a writ of certiorari. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, subject to any exceptions by the defendant in error.

Lewis A. Clark, vs. Plff. in Error, The Commonwealth of Pennsylvania. 1189.

and

Lewis A. Clark, vs. Plff. in Error, The Commonwealth of Pennsylvania. 1190.

Ordered by the Court that these cases be, and they are hereby, postponed until Monday, November 5th on account of sickness of counsel.

1409. Henry W. Jaehne ... vs. ... The People of the State of New York. ... This cause was argued by Mr. Roger M. Sherman, of counsel for the appellant, and Mr. McKenzie Semple, of counsel for the appellees.

42. M. L. Bundy, Receiver &c. vs. William M. Cocke. This cause was argued by Mr. John Mason Brown, of counsel for the appellant, and submitted on a printed argument by Mr. B. F. Buckner, of counsel for the appellee.

43. Ignatius Pollak, vs. The Brush Electric Association of St. Louis. This cause was argued by Mr. H. C. Tompkins, of counsel for the defendant in error, and submitted on a printed argument by Mr. E. F. Rice and Mr. A. A. Wilby, of counsel for the plaintiff in error.

44. | G. C. Tidings & C. C. Voorhies, Administrators &c. vs. Appellants, W. K. Johnson, Executor &c. | This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. James N. Graham, of counsel for the appellants. No counsel appeared for the appellees.

45. | David Banks et al., vs. Appellants, G. L. Manchester. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L. Taylor, of counsel for the appellants, and Mr. R. Q. Harrison, of counsel for the appellees.

46. | The German Savings Bank of Davenport, Iowa. vs. Appellant, The County of Franklin, Illinois. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. E. Cook, of

counsel for the appellant, and Mr. J. G. Layman, of counsel for the appellee.

	Paul B. Means. Assignee &c.,	Ordered by the Court that this
47.	vs. Appellant,	cause be, and the
	Clement Dowd et al.	same is hereby, continued until

the next term.

	James Coyne,	Ordered by the
48.	vs. Plff. in Error,	Court that this
	The Union Pacific	cause be, and the
	Railway Co.	same is hereby, continued until

the next term.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 30th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. MacFarland it is ordered that Samuel R. Betts Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Herman it is

ordered that Charles Strauss, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Fleming it is ordered that Willis B. Dowd, Esquire, of Charlotte, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

47. Paul B. Means, Assignee &c. vs. Clement Dowd et al. Appellant. Mr. Henry M. Herrman, of counsel for the appellant.

moved the Court to set aside the order of continuance entered herein on the 29th instant and for leave to argue the cause orally, which was opposed by Mr. W. W. Fleming, of counsel for the appellees. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

28.	James Coyne vs. Pff. in Error, The Union Pacific Railway Company.	On motion of Mr. John F. Dillon, of counsel for the defendant in error, It is ordered by the Court that the order of continuance entered herein on the 29th instant be, and the same is hereby, set aside and the case passed for the present.
47.	Paul B. Means, Assignee vs. Appellant, Clement Dowd et al.	This cause was argued by Mr. Henry M. Herman, of counsel for the appellant, and Mr. W. W. Fleming and Mr. Willis B. Dowd, of counsel for the appellees.
49.	The Goodyear India Rubber Glove Manufacturing Co. et al. vs. Appellants, The Goodyear Rubber Co.	The argument of this cause was commenced by Mr. Samuel R. Betts, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 31st 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

48. James Coyne vs. Plff. in Error, The Union Pacific Railway Co.

Ordered by the Court that this cause be, and the same is hereby, passed, to be restored to the call pursuant to the 9th section of the 26th rule.

49. The Goodyear India Rubber Glove Manufacturing Co. et al. vs. The Goodyear Rubber Co. Appellants. The argument of this cause was continued by Mr. Samuel R. Betts, of counsel for the appellants, and Mr. W. W. MacFarland of counsel for the appellees, and concluded by Mr. J. C. Hindon Hyde, of counsel for the appellants.

50. T. A. Estes, surviving partner vs. Trabue, Davis & Co. Plff. in Error. This cause was argued by Mr. John Mason Brown, of counsel for the defendants in error, and submitted on printed arguments by Mr. R. A. Reynolds, of counsel for the plaintiff in error, and Mr. W. U. Sullivan, of counsel for the defendants in error.

51. Michael Stachelberg et al. vs. Ernesto Ponce. Appellants, This cause was argued by Mr. Rowland Cox, of counsel for the appellants, and Mr. William Henry Clifford,

of counsel for the appellees.

52	John J. Stewart vs. The Wyoming Cattle Ranch Company. (Limited).	(Plff. in Error.	The argument of this cause was commenced by Mr. John A. Baldwin, of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 1st, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John H. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Montgomery it is ordered that Joseph Hanahl, Esquire, of Augusta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

16.	Clarence P. Hunt, vs. Appellant, Sallie G. Blackburn et al.	This cause was resubmitted to the consideration of the Court on the

record and printed arguments by Mr. J. B. Whitehill, of counsel for the appellant. No counsel appeared for the appellees.

52.	John T. Stewart, vs. Plff. in Error, The Wyoming Cattle Ranch Company (limited).	The argument of this cause was continued by Mr. W. H. Swift, of counsel for the defendant in error, and concluded by Mr. A. M. Hubbard, of counsel for the plaintiff in error.

53.	Charles C. Brush et al. vs. Appellants, G. Harrison Condit et al.	Ordered by the Court that this cause be, and the same is hereby continued until the next term, per stipulation of counsel.

The United States, vs. Appellant, George N. Palmer. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the appellee.

No. 55.

The District of Columbia, vs. Appellant, Thomas W. Cornell. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the appellee.

No. 57.

E. C. Marshall & Robert Chapin, Administrators &c. vs. Appellants, The United States. This cause was argued by Mr. Walter D. Davidge,

& counsel for the appellants, and submitted on a printed argument by Mr. Attorney General Garland, & counsel for the appellee.

88.	W. C. Jones vs. Plff in Error. The East Tennessee, Virginia & Georgia Railroad Co.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

89	The United States, vs. Plaintiff. Ex Parte Neisinger.	This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Jenks, & counsel for the plaintiff. No counsel appeared for the defendant.

60.	Charles Cornelius, vs. Plff in Error. Catharine Margaretha Kessel.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Thursday, November 1st, 1888, continued.

61. Martha Brodnax et al. vs. The Aetna Insurance Co. Appellants. This cause was argued by Mr. W. W. Montgomery, of counsel for the appellants, and Mr. Joseph Sanabe, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 2d, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that Conrad Krez, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Whitman it is ordered that Silas W. Pettit, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

18. W. C. Jones, Plff. in Error, vs. The East Tennessee, Virginia & Georgia Railroad Company. On motion of Mr. N. H. Ingersoll, of counsel for the plaintiff in error, It is ordered by the Court that the order of continuance entered herein on the 1st instant be, and the same is hereby, set aside, and leave is granted to argue the case orally.

60. Charles Cornelius, Plff. in Error, vs. Catharine Margaretha Kessel. On motion of Mr. Conrad Krez, of counsel for the plaintiff in error, It is ordered by the Court that the order of continuance entered herein on the 1st instant be, and the same is hereby, set aside and leave granted to submit the case on printed arguments.

60. Charles Cornelius, vs. Plff. in Error, Catharine Margaretha Kessel. — This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Conrad Ting, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

62. Frederick Myers, vs. Appellant, Edward C. Smith. — On motion of Mr. George Victor Curtis, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby, passed for settlement by the parties.

63. Thomas J. Cogswell et al., vs. Plffs. in Error, Samuel W. Fordyce. — This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Samuel Shellabarger and Mr. Jett. Wilson, of counsel for the plaintiffs in error, and leave was granted them to file an additional brief. No counsel appeared for the defendant in error.

	Joseph Zihlman,	Appeal from the Circuit
42.	vs. Appellant,	Court of the United States
	The La Belle Glass	for the Southern District
	Company.	of Ohio.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this Appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

	George M. Peters,	Ordered by the
65.	vs. Appellant,	Court that these
	The Active Manufacturing Co.	cases be, and
	and	they are hereby,
	George M. Peters,	passed, to be re-
66.	vs. Appellant,	stored to the call
	Julius A. Hanson et als.	pursuant to the
		9th section of the
		26th rule.

67.	Henry T. Denny, vs. Plff. in Error, Charles G. Bennett, Assignee vs.	Ordered by the Court that this cause be, and the same is hereby, passed until Thursday, November 8th.
68.	William S. Hassell, Trustee, vs. Appellant, A. W. Wilcox.	Ordered by the Court that this cause be, and the same is hereby, passed, to be restored to the call pursuant to the 9th section of the 26th rule.
69.	The Credit Company (limited), vs. Appellant, The Kansas Central Railway Company et al.	Ordered by the Court that this cause be, and the same is hereby, passed until Monday next, the 5th instant.
70.	Samuel Hill et al., vs. Appellants, Daniel B. Wooster.	Ordered by the Court that this cause be, and the same is hereby, passed until Thursday next, the 8th instant.

Bernard Callaghan et al.,
71. vs. Appellants.
Eugene B. Myers.

Ordered by the Court that this cause be, and the same is hereby, passed until Thursday next, the 8th instant.

W. C. Jones,
58. vs. Plff. in Error,
The East Tennessee, Virginia & Georgia Railroad Company.

This cause was argued by Mr. H. H. Emerson, of counsel for the plaintiff in error, and Mr. William H. Baxter, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 5th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar.
} Associate Justices

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Jason W. Stowell, Esquire, of Miles City, Territory of Montana, and George William Caruth, Esquire, of Little Rock, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Monday, November 5th 1888, Continued.

On motion first made to the Court in this behalf by Mr. W. L. Bird it is ordered that W. K. Porter, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Henderson it is ordered that Jacob Erb, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Joel Johnson
vs. Appellant,
George Christian
& Jerry Stuart.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

No. 15.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

35. The Crescent Brewing Company, Appellant, vs. Matthew Gottfried. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill of complaint with costs.

Per Mr. Justice Blatchford.

Rachel S. Saff, Executrix of James W. Saff, deceased, and Samuel D. Langlee.
vs.
Matthew Gottfried.

36. Appellants,

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the Bill of Complaint with costs.

Per Mr. Justice Blatchford.

Eugene Mack and Anton Simon,
vs.
Matthew Gottfried.

37. Appellants,

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill of complaint with costs.

Per Mr. Justice Blatchford.

34. Howard S. Lovejoy et al. vs. The United States. Pffs. in Error, In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Gray.

The Liggett & Myers Tobacco Company,	Appeal from the Circuit Court of the	
30. vs.	United States for the	
Rudolph Finzer.	District of Kentucky.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now hereordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

Pullman's Palace Car Company		It is ordered
31. vs.	Plff. in Error,	by the Court
The Commonwealth of		that this cause
Pennsylvania.		be reargued on

a day to be hereafter fixed by the Court.

Per Mr. Chief Justice Fuller.

1130. Julius K. Graves, vs. Chester C. Corbin. And The First National Bank of Chicago, vs. Chester C. Corbin. — On consideration of the motion to extend the provisions of section 9 of the 10th rule to these causes, as consolidated, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

1041. (Bertha Hammond (sued as (Bertha Hopkins) et al., vs. William B. Hopkins et al. — The motions to dismiss this appeal or to require the appellants to give a further appeal bond were submitted to the consideration of the Court on printed arguments by Mr. Samuel F. Phillips, Mr. J. J.

Johnson, Mr. Samuel Shellabarger and Mr. J. M. Wilson, in support of the same, and Mr. Walter D. Davidge, Mr. S. T. Thomas and Mr. Henry Wise Garnett, in opposition thereto.

1161. The United States vs. Appellant, Joseph McDonald. This cause was submitted to the consideration of the Court under the 20th rule.

On the record and Printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. R. B. Lines and Mr. John Paul Jones, of counsel for the appellee.

1162. The United States. vs. Appellant, John C. Foster. This cause was submitted to the consideration of the Court, under the 20th rule,

On the record and Printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. R. B. Lines and Mr. John Paul Jones,

1163.	The United States vs. Appellant, Simon Coor.	This cause was submitted to the consideration of the Court, under the 20th rule.

On the record and Printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. P. B. Lines and Mr. John Paul Jones, of counsel for the appellee.

784.	J. B. List, vs. Pff. in Error, The Commonwealth of Pennsylvania.	Mr. W. D. Porter, of counsel for the defendant in error, submitted to the consideration of the Court a

motion to advance this cause.

1245.	The Chateaugay Ore and Iron Company, vs. Pff. in Error, Theodore A. Blake.	The motions to dismiss the writ of error or affirm the judgment in this cause were submitted to

the consideration of the Court on the record and Printed arguments by Mr. L. E.

Chittenden, in support of the same, and Mr. Frank E. Smith and Mr. Edmund Wetmore, in opposition thereto.

George W. Radford, Assignee &c.
vs. Appellant,
Agnes Folsom, Adm^x. &c., et al.
1014.

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. F. L. Anderson, in support of the same. Mr. Walter H. Smith, of counsel for the appellant, objected to the submission of the motion.

The United States
vs. Appellant,
John F. Knox.
1209.

This cause was submitted to the consideration of the Court, under the 20th rule, on the record and printed arguments by Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. F. P. Dewees, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

	Frederick Meyers,	Appeal from the Circuit
62.	vs. Appellant,	Court of the United States
	Edward C. Smith.	for the Eastern District of
		New York.

This cause being called to the attention of the Court by Mr. George Hoxton Curtis, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, it is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

	Andrew Galton	On motion of Mr.
1408.	vs. Plff. in Error,	Assistant Attorney
	The People of the	General Maury, of
	Territory of Utah.	counsel for the defend-
		ants in error. It is

ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument at the foot of the call for Monday, December 17th.

189.	Lewis A. Clark, vs. Plff. in Error, The Commonwealth of Pennsylvania.	The argument of these cases was commenced by Mr. W. L. Bird, of counsel for the plaintiff in error. The Court declined to hear further argument in the cases.
190.	and Lewis A. Clark, vs. Plff. in Error, The Commonwealth of Pennsylvania.	

69.	The Credit Company (limited) vs. Appellant, The Arkansas Central Railway Company et als.	The argument of this cause was commenced by Mr. Matt. G. Reynolds, of counsel for the appellant, continued by Mr. John G. Mower, of counsel for the appellees, and concluded by Mr. George William Caruth, of counsel for the appellant.

Proclamation being made the Court is adjourned until Thursday next at twelve o'clock.

Thursday, November 8th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley — Associate
John M. Harlan — Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John C. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. The Credit Company, (Limited) vs. The Arkansas Central Railway Company et al. — Appellants.

On motion of Mr. J. B. Henderson, of counsel for the appellants, leave is hereby granted counsel for the parties in this cause to file printed briefs on the question of jurisdiction.

Henry K. Denny. This cause was argued
69. vs. Plff. in Error, by Mr. Christopher K.
Charles C. Bennett, O'Brien, of counsel for
Assignee &c. the Plaintiff in error,
and submitted on a
printed argument by Mr. Ambrose A. Morrison
of counsel for the defendant in error.

Samuel Hill et al., This cause was submitted
70. vs. Appellants, to the consideration of the
Daniel B. Wooster. Court on the record and
printed arguments by Mr.
Wm Edgar Simonds, of counsel for the appellants,
and Mr. Stephen C. Thurtleff, of counsel for the
appellee.

Bernard L. Gallagher et al. The argument of this
71. vs. Appellants, cause was com-
Eugene B. Myers. menced by Mr.
J. L. High, of coun-
sel for the appellants, and continued by Mr. E.
W. Kretzinger, of counsel for the appellees.

Proclamation being made the Court is
adjourned until tomorrow at twelve o'clock.

Friday, November 9th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Fillmore Beall it is ordered that David G. Doan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. T. Wallis it is ordered that

Henry C. Tennard, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Albert G. Smith and Dulee Wilcox, Appellants, vs. James W. Miller and Isaac M. Miller. 1436.

Mr. Fillmore Beall, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"United States Circuit Court
For the District of Rhode Island.

James W. Miller and Isaac M. Miller, Complainants,
vs.
Albert J. Smith and Dulee Wilcox, Defendants. } In Equity.

United States of America
District of Rhode Island } ss:

Clerk's Office, United States Circuit Court, at Providence, October 30th 1888.

I, Henry Pitman, Clerk of the Circuit Court of the United States for the District of Rhode Island, do hereby certify that at a term

of said Court held in the City of Providence on the 16th day of December, A. D. 1887, a final decree was on said day duly made and entered in favor of the complainants in the above entitled suit.

I do further certify that an appeal from said decree to the Supreme Court of the United States was duly taken by the defendants in said suit and allowed in open Court at the same term of said Court and on the 24th day of February, A. D. 1888, and that a supersedeas bond on said appeal, duly approved, was duly filed in this office on said day.

In testimony whereof, I have hereunto set the seal of said Court and my hand on the day and year first above written.

(Seal) Henry Pitman, Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United

States for the District of Rhode Island &c., and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

71. Bernard Callaghan et al: vs. Appellants, Eugene B. Myers.

The argument of this cause was continued by Mr. George W. Firelzinger, of counsel for the appellee, and concluded by Mr. J. T. High, of counsel for the appellants.

72. Elon A. Marsh et al., vs. Appellants, Nichols, Shepard & Co.

and

95. Nichols, Shepard & Co. vs. Appellant, Elon A. Marsh et al.

These cases were argued by Mr. C. A. Parker, of counsel for Marsh et al, and Mr. Charles F. Burton, of counsel for Nichols, Shepard & Co.

73.	Frederick Meissner et al., vs. Appellants, Herman Brun, Master &c.	The argument of this cause was commenced by Mr. Henry C. Tennard,

of Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 12th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Wallis it is ordered that Frank P. Clark, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that

Spring D. Hanscom, Esquire, of Marquette, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

H. L. Bundy, Receiver of The Hot Springs National Bank of Hot Springs, Arkansas,		Appeal from the Circuit Court of the United States for the District of Kentucky.
42.	vs. Appellant,	
William M. Cooke.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to overrule the demurrer to the original bill and the demurrer to the bill of revivor, and to take

such further proceedings as may be proper and not inconsistent with the opinion of this Court.

Per Mr. Justice Blatchford.

Ex parte: In the matter of David S. Terry, 6. Original. Petitioners.

On consideration of the motion for leave to file this petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Justice Harlan.

Ex parte: In the matter of David S. Terry, 6. Original. Petitioners.

On consideration of the petition for a writ of habeas corpus and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

(Mr. Justice Field took no part in the decision of this case.)

Joseph C. Ridings and Cornelius C. Voorhies, Administrators of Cornelius F. Voorhies, deceased, vs. W. A. Johnson, Executor of Samuel A. Johnson, deceased, and Jacob U. Payne.

No. 144. Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and to give the defendants leave to answer the bill, with such further proceedings as law and equity may require. Per Mr. Justice Bradley.

The United States		Appeal from the
246.	vs.	Circuit Court of the
	Appellant,	United States for the
The American Bell		District of Mas-
Telephone Company.		sachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer with leave to defendants to plead or answer or both within a time to be fixed by that Court.

Per Mr. Justice Miller.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

58.	W. C. Jones, vs. Plff. in Error, The East Tennessee, Virginia & Georgia Railroad Company.	In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Miller.

284.	C. B. List, vs. Plff. in Error, The Commonwealth of Pennsylvania.	On consideration of the motion to advance this cause, It is now here

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday in January, 1889.

Per Mr. Chief Justice Fuller.

Bertha Hammond (sued as Bertha Hopkins) et al., vs. Appellants, William B. Hopkins et al. 1041.

On consideration of the motions to dismiss this appeal or to require the appellants to give further appeal bond, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

The Chateaugay Ore & Iron Company, vs. Plff. in Error, Theodore A. Blake. 1248.

On consideration of the motions to dismiss the writ of error or affirm the judgment in this cause, and of the argument of counsel thereupon had as well in

support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

The Central National Bank of Washington City et al., Appellants, vs. Annie G. Hume et al. And Annie G. Hume, Appellant, vs. The Central National Bank of Washington City et al.

29. 30. Appeals from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause so far as the same relates to the amount paid for premiums by Thomas L. Hume, deceased, subsequent to the month

of February, 18?4, with interest from the date of such payments respectively up to the 4th day of January, 1883, Amounting to the sum of $2,696.10, &c, and the same is hereby, reversed, and in all other respects the decree is affirmed, costs to be paid by the complainants, The Central National Bank et al.; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further Proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

1409. Henry W. Gaehner, vs. The People of the State of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

1282. The Pacific Postal Telegraph Cable Company, Plff. in Error, vs. Hugh O'Connor. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. H. Delmas, in support of the same, and Mr. Andrew Wesley Kent, in opposition thereto.

1109. The Town of Danville, Appellant, vs. E. Wilcox Brown et al. Mr. Frank P. Clark, of counsel for the appellees, called the attention of the Court to the motion to vacate the supersedeas in this cause and desired to submit the same to the consideration of the Court, which was opposed by Mr. George L. Cabell, of counsel for the appellant. Whereupon, It is now here ordered by the

Court that the hearing of the motion be post-poned until Monday, November 26th.

145. Samuel W. Fowler, vs. Robert Hamill. Appellant,

Mr. Frank W. Hackett, in behalf of counsel for the appellant, suggested the death of Samuel W. Fowler, the appellant in this cause, and moved the Court to make Florence S. Fowler, Administratrix of the said Samuel W. Fowler, the party appellant in this cause. Whereupon, It is now here ordered by the Court that Florence S. Fowler, Administratrix of Samuel W. Fowler, deceased, be, and she is hereby, made the party appellant in this cause.

1032. The Fire Insurance Association, (Limited), vs. John W. Wickham Jr. et al. Plff. in Error,

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. N. Canfield and Mr. N. H. Swan, in support of the same, and Mr. C. G. Walker and Mr. F. A. Baker in opposition thereto.

73. Frederick Meissner et al., vs. Appellants. Herman Brun, Master vs.

The argument of this cause was continued by Mr. Henry C. Kennard, of counsel for the appellants, Mr. Archibald Stirling Jr., of counsel for the appellee, and Mr. E. J. Wallis, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 13th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Wadsworth it is ordered that Sidney Corning Eastman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Hall it is ordered that George W. Bird, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

93.	Frederick Heissner et al., vs. Appellants, Herman Brun, Master &c.	The argument of this cause was concluded by Mr. S. T. Wallis, of counsel for the appellants.
70.	Samuel Hill et al., vs. Appellants, Daniel B. Wooster.	It is ordered by the Court that the submission of this cause be, and the same is hereby, set aside and the cause ordered for oral argument. Per Mr. Chief Justice Fuller.
3.	Ex parte: In the matter of The Chateaugay Ore and Iron Company, Original Petitioner	This case was argued by Mr. Edmund Wetmore, of counsel for the

petitioner, and Mr. R. D. Hussey and Mr. L. E. Chittenden, of counsel for the respondents.

David S. Hennessy
vs. Appellant,
Clara Woolworth et al.

The argument of this cause was commenced by Mr. H. F. Morris, of counsel for the appellant, and continued by Mr. J. D. Heard, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 14th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James F. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 4. David J. Kennedy, Appellant, vs. Clara Woolworth et al. The argument of this cause was continued by Mr. J. U. D. Hoard, of counsel for the appellees, and concluded by Mr. M. F. Morris, of counsel for the appellant.

No. 75. William J. Galigher, Appellant, vs. Thomas R. Jones. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. McBride, of counsel for the appellant, and Mr. C. W. Bennett, of counsel for the appellee.

No. 76. Alfred V. Ryder, Appellant, vs. Robert S. Holt et al. and Jose Menendez et al. Appellants, vs. Robert S. Holt et al. These cases were argued by Mr. A. V. Briesen, of counsel for the appellants, and Mr. Rowland Cox, of counsel for the appellees.

No. 79. David Hostetter, Surviving partner &c., Appellant, vs. R. C. Gray, Executors &c. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

No. Johnson & L. Camden, Appellant, vs. F. L. B. Mayhew & Co., et al. The argument of this cause was commenced by Mr. A. H. Garland, of Counsel for the Appellant, and continued by Mr. C. C. Cole, of Counsel for the Appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 15th, 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

W. H. Robertson, late Collector &c., vs. Pfff. in Error, The Frank Brothers Company. 125.

On motion of Mr. N. E. Tremain, of counsel for the defendant in error, It is now here ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

	Johnson & Kamden,	The argument
80.	vs. Appellant,	of this cause
	F. X. B. Mayhew & Co.	was continued
	et al.	by Mr. C. C.
		Coe and Mr.

George Wadsworth, of counsel for the appellees, and concluded by Mr. A. H. Garland, of counsel for the appellant.

	The United States,	This cause was argued
81.	vs. Appellant,	by Mr. Solicitor Gen-
	Frank W. De Walt.	eral Jenks, of counsel
		for the appellant. No

counsel appeared for the appellee.

	The United States,	This cause was
82.	vs. Appellant,	argued by Mr.
	The Iron Silver Mining	Solicitor General
	Company et al.	Jenks, of counsel
		for the appellant,

and submitted on a printed argument by Mr. L. S. Dixon, of counsel for the appellees.

83. George L. Eames, Plff. in Error, vs. Sarah J. Savage. In Error to the Supreme Judicial Court of the State of Maine.

This cause being called for hearing in its regular order and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

84. George L. Eames, Plff. in Error, vs. Samuel A. Bickford. In Error to the Supreme Judicial Court of the State of Maine.

This cause being called for hearing in its regular order and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ

of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

88. Antoine M. Cobral, vs. Alfred Marchand. Appellant, Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

86. Inman, Swann & Co., vs. The South Carolina Railway Co. Pffs. in Error, The argument of this cause was commenced by Mr. George A. Black, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 16th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that Henry B. McKean, Esquire, of Towanda, State of Pennsylvania, and Seaman Miller, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

138.	William H. Osmer, vs. The J. B. Sickles Saddlery Company.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause being called to the attention of the Court by Mr. R. A. Batewell, in behalf of counsel for the appellant, and a motion by the appellant to dismiss this cause having been filed, It is, therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

86.	Inman, Swann & Co., vs. Plffs. in Error, The South Carolina Railway Co.	The argument of this cause was continued by Mr. George A. Black, of counsel for the plaintiffs in error, and Mr. William Allen Butler and Mr. Theodore G. Barter, of counsel for the defendant in error, and concluded by Mr. Black, of

	The Nashua Manufacturing Company	In Error to the Circuit Court
8	vs. Plff. in Error,	of the United
	The South Carolina	States for the
	Railway Company.	District of South
		Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of error, and failing to appear. It is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. J. S. Barker, of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

88. The Pattee Plow Company, Appellant, vs. Kingman & Co., et al. On motion of Mr. John R. Bennett, of counsel for the appellant, It is ordered by the Court that counsel on each side be allowed three hours for the argument of this case.

88. The Pattee Plow Company, Appellant, vs. Kingman & Co. et al. The argument of this cause was commenced by Mr. John R. Bennett, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 19th 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General it is ordered that Timothy J. Campbell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hagerman it is

ordered that Edward P. Gates, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Bacon it is ordered that John C. Rutherford, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Harriet Brown,	Appeal from the
20.	vs. Appellant,	Circuit Court of
	The Guarantee Trust &	the United States
	Safe Deposit Company.	for the Northern
		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same are hereby, affirmed with costs.

per Mr. Justice Lamar.

Richard Wood, Edward R. Wood, George Wood, Walter Wood and Stewart Wood,

21. vs. Appellants,

The Guarantee Trust and Safe Deposit Company.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

59. The United States, Plaintiff, vs. Roe Reisinger. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and on the point or question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified should be answered in the affirmative. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Justice Lamar.

	G. A. Estes, surviving partner of Estis. Doan & Company,	In Error to the District Court of the United States for the Northern District of Mississippi.
No.	vs. Plff. in Error,	
	Trabue, Davis & Company.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Blatchford.

	David Banks and A. Bleecker Banks, Partners under the name and style of Banks & Brothers,	Appeal from the Circuit Court of the United States for the Southern District of Ohio.
45.	vs. Appellants,	
	G. L. Manchester.	

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

	John T. Stewart,	In Error to the Cir-
52.	vs. Plff. in Error,	cuit Court of the
	The Wyoming Cattle	United States for the
	Ranche Company,	District of
	(Limited).	Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

Per Mr. Justice Gray.

Ignatius Pollak,		In Error to the Circuit Court of the United States for the Middle District of Alabama.
43.	vs. Plff. in Error,	
	The Brush Electric Association of St. Louis.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

Per Mr. Justice Harlan.

	Thomas J. Cogswell.	In Error to the
	Anna M. Cogswell and	Circuit Court of
	G. L. Goodbar.	the United States
63.	vs. Pltfs. in Error,	for the Eastern
	Samuel W. Fordyce.	District of Arkan-
		sas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

	The United States,	Appeal from the
1162.	vs. Appellant,	Court of Claims.
	John G. Foster.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the Petition.

Per Mr. Justice Harlan.

The United States, Appellant, vs. George H. Palmer. Appeal from the Court of Claims.

54.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley.

The Credit Company, (Limited), Appellant, vs. The Kansas Central Railway Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

69.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party to pay its own costs.

Per Mr. Justice Bradley.

The United States, Appellant, vs. Simon Cook.

Appeal from the Court of Claims.

1163.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

ment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley.

60. Charles Cornelius, Plff. in Error, vs. Catharina Margaretha Tessel. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

47. Paul B. Means, Assignee in Bankruptcy of Montgomery & Dowd, vs. Clement Dowd, A.B. Davidson et al. Appellant, Appeal from the Circuit Court of the United States for the Western District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to refer the cause to a master, before whom the defendants, the trustees, must account for the property conveyed to them by the deed of trust. In this accounting all the creditors, secured and unsecured, must be brought into concourse and held to an equal right in distribution of the funds arising from the sale of the goods and the choses in action assigned to the trustees. But in accounting with the trustees they must be credited with what they have paid to any of the creditors, pro tanto as those creditors would be entitled on an equal and pro rata distribution of all the assets con-

veyed to them by the deed of trust, and for further proceedings to be had therein not inconsistent with the opinion of this Court.

Per Mr. Justice Miller.

1209. The United States, Appellant, vs. John F. Knox. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Miller.

1282. The Pacific Postal Telegraph Cable Company, Plff. in Error, vs. Hugh O'Connor. In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by (on the motion to dismiss which) counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Edward C. Marshall
and Robert Chapin,
Administrators of Edward L. Marshall, deceased,
vs. Appellants,
The United States.

} Appeal from the Court of Claims.

87.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in

this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Harlan.

81. The United States, Thomas J. Carr, Marshal of the United States for the Territory of Wyoming and Gustave Schnitger, ex-Marshal of the United States for the Territory of Wyoming, Appellants, vs. Frank W. De Walt. } Appeal from the First Judicial District Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the First Judicial District Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said First Judicial District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

	Lewis N. Clark,	In Error to the Court of
1189.	vs. Plff. in Error,	Quarter Sessions of the
	The Commonwealth of	Peace for the County of
	Pennsylvania.	Allegheny, State of
		Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Quarter Sessions of the Peace for the County of Allegheny, State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

	Lewis N. Clark,	In Error to the Court of
1190.	vs. Plff. in Error,	Quarter Sessions of the
	The Commonwealth of	Peace for the County
	Pennsylvania.	of Allegheny, State of
		Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Quarter Sessions of the Peace for the County

of Allegheny, State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

61. Martha Brodnax and Ephraim Tweedy, Trustees, Appellants, vs. The Aetna Insurance Company. Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

	W. N. Robertson, Collector vs.	Mr. Attorney General Garland
672.	vs. Plff. in Error,	filed and sub-
	C. Lawrence Perkins & Stephen N. Olin,	mitted to the consideration
	Executors vs.	of the Court
	And	motions to ad-
	John M. Davies et al.	vance these
1279.	vs. Plffs. in Error,	cases.
	Charles E. Miller et al., Executors of C. A. Arthur, decd., late Collector vs.	

	William N. Robertson, Collector of the Port of New York,	In Error to the Cir-
		cuit Court of the
		United States for
671.	vs. Plff. in Error,	the Southern Dis-
	Frederick S. Pinkus.	trict of New York.

This cause being called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, it is therefore, in pursuance of said motion, now here ordered

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Evan Randolph,
vs. Appellant,
The Quidnick Company et al.

The motion to dismiss the appeal was submitted to the consideration of the Court on a printed argument

40. by Mr. Co. Frank Parkhurst, in support of the same.

Ex parte: In the matter of The Farmers Loan & Trust Company, Original - Petitioners.

(On motion of Mr. J. Hubley Ashton, It is ordered by the Court that the time within which to file a return to the rule to show cause issued herein be extended until

4. Monday next.

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1458. Maria B Batchelder vs. Plff in Error. John Brickell

Mr. James Lowndes of counsel for the defendant, having filed in open Court the following certificate, to wit:

"In the Supreme Court of the State of California"

No. 11,185.

Maria B. Batchelder
Appellant
vs.
John Brickell.
Respondent

I, J. D. Spencer, Clerk of the Supreme Court of the State of California, do hereby state and certify with regard to the above entitled case as follows:

Said cause was an action in ejectment, brought in the Superior Court of the City and County of San Francisco, State of California, by the above named appellant against the above named respondent for the recovery of various parcels of land situate in said San Francisco, and described in the complaint.

Judgment was rendered and entered in

the said Superior Court wholly in favor of said defendant and against said plaintiff, and a motion for a new trial therein was by order denied. An appeal was thereafter taken from said judgment and the transcript on appeal was filed herein on the 31st. day of August. A.D. 1886.

On March 28th, 1888, after argument by the respective parties a judgment was rendered and entered in this Court affirming the aforesaid judgment and order of the Superior Court.

On May 2nd. 1888 a remittitur of this Court was issued therefrom and returned to the Court below in accordance with Statute.

Thereafter on the 27th. day of April 1888 a writ of Error or appeal from the said judgment of this Court was duly sued out by said plaintiff and appellant and allowed by the Chief Justice of this Court in favor of said Maria B. Batchelder as Plaintiff in Error against said John Brickell as Defendant in Error, and a citation thereon was on the

same day issued and served upon said defendant. Said Writ of Error was returnable on the 2d. Monday of October 1888, in the Supreme Court of the United States, at the City of Washington, District of Columbia.

On May 2d. 1888 an approved bond sufficient in form in the penal sum of $500 was filed herein by said Plaintiff in Error and the fees therefor paid.

No further proceedings have since said 2d. day of May A.D. 1888 been taken or had herein excepting only that a request has been made and the fees paid by said Defendant in Error for this certificate.

Witness my hand and the seal of the Court this 9th day of November A.D. 1888.

(Seal) J. D. Spencer, Clerk
By J. J. Pantsell, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 9th. rule: and it appearing to the Court that the plaintiff in error has failed to have her filed and docketed in conformity with the rules of this

Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of California be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

The Pacific Express Company vs. Plff. in Error. Saml. Malin. 1209. The motion to dismiss in this cause was

submitted to the consideration of the Court on a printed argument by Mr. W. Hallett Phillips, in support of the same.

W. M. Quimby et al vs. Plffs. in Error J. Scott Boyd Jr. et al. 121. The motion to dismiss the writ of error or affirm the judgment in this cause were submitted to the Consideration of the Court on the record

and a printed argument by Mr. George A. King, in support of the same.

356 D. R. Warren, Treasurer &c. Appt. vs. The First National Bank of Toledo.
357. " " " " " " " " " The Second " " " " "
358. " " " " " " " " " The Toledo " " " " "
359. " " " " " " " " " The Merchants " " " "
360 " " " " " " " " " The Northern " " " "

The motions to dismiss in these cases were submitted to the consideration of the Court on a printed argument by Mr. John H. Doyle, in support of the same.

The Grain Drill Manufacturing Company.
160. vs. Appellants Appeal from
Squire B. Rude: Henry Husted, and Americus E. Johnson, Administrators of George W. Rude, deceased, and William M. Snyder, Executor of John R. Rude, deceased. the Circuit Court of the United States for the District of Indiana.

This cause being called to the attention

of the Court by Mr. Edward Boyd, of counsel for the appellant, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

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328. The Grain Drill Manufacturing Company. vs. Henry Reinstadler. Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause being called to the attention of the Court by Mr. Edward Boyd, of counsel for the appellant, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is, hereby dismissed with costs.

per Mr. Chief Justice Fuller.

	George W. Radford, Assignee &c.	Ordered by the Court that leave
1014.	vs. Appellant	be granted coun-
	Agnes Dolsom, Admix. etc. et al.	sel for the appel-
		lant to file a print-
		ed argument in

opposition to the motion to dismiss in this cause and counsel for the appellees to file a reply thereto.

	The Trustees of Dublin Township, Mercer County, Ohio. Plf. in Error.	The motion to
943.	vs.	dismiss in this
	The Milford Five Cents	cause was sub-
	Saving Institution.	mitted to the
		consideration of
		the Court by Mr.
		O. J. Bailey, Mr.

J. H. Sedgwick, Mr. S. E. Brown and Mr. J. B. Lee, in support of the same, and Mr. John H. Doyle in opposition thereto.

	The Patten Plow Company.	The argument
88.	vs. Appellant	of this cause
	Kingman and Co. et al.	was continued
		by Mr. John R.

Bennett, of counsel for the appellant and Mr. L. L. Bond of counsel for the appellees, and concluded by Mr. Bennett for the appellant.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Tuesday, November, 20th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel F. Phillips it is ordered that W. R. Henry, Esquire of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

17. The United States vs. Appellant. The Marshall Silver Mining Company et al.

This cause was argued by Mr. J. K. Arlington, of counsel for the appellant, and Mr. Simon Sterne and Mr. R. S. Morrison, of counsel for the appellees.

89. The Natchez, Jackson and Columbus Railroad Company vs. Plff. in Error. John M. Stone, William B. Augustus and William Mc. Willie, Railroad Commissioners.

In Error to the Supreme Court of the State of Mississippi.

This cause being called for hearing in its regular order, and the authority of the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

90. Eliab W. Meloy v. Plff. in Error The City of Waterloo. The argument of this cause was commenced by Mr. Charles E. Monroe of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday. November. 21st. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

605. Pullman's Palace Car Co. vs. Appellant. H. H. Hayward, Treasurer &c. et al. It is ordered by the Court that the order advancing this cause and assigning the same for argument on the third Monday in December next be and the same is hereby vacated and set aside.

per Mr. Chief Justice Fuller.

James Coyne
48. vs. Plff. in Error
The Union Pacific Railway Company.

It is ordered by the Court that this cause be, and the same is hereby passed for the present, and that the operation of the joint request of counsel to restore this cause to the call, be, and the same is hereby, suspended until the further order of the Court.

per Mr. Chief Justice Fuller.

Eliab W. Mercay.
90. vs. Plff. in Error.
The City of Watertown.

The argument of this cause was continued by Mr. Charles E. Monroe of counsel for the plaintiff in error, and Mr. George W. Bird and David Hall of counsel for the defendant in error, and concluded by Mr. Monroe for the plaintiff in error.

Abraham Shenfield.
91. vs. Appellant.
Solomon Schirmer and Jacob Betts.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

92. The Farmer's Friend Mfg. Co. Appellant
vs.
The Challenge Corn Planter Co.

This cause was argued by Mr. Edward Boyd of counsel for the appellant and Mr. Arthur Stern of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November 22d. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John W. Wright. Esquire, Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clifford Anderson it is ordered that Washington Dessau, Esquire of Macon, and John L. Davidson. Esquire of Augusta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Henry E. Davis it is ordered that Union Miller, Esquire, of Sandy Spring, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

24. The Metropolitan Rail-road Company ... vs. ... The District of Columbia. Pff. in Error

The argument of this cause was commenced by Mr. Nathaniel Wilson of counsel for the plaintiff in error, continued by Mr. Henry E. Davis and Mr. A. G. Riddle of counsel for the defendant in error and concluded by Mr. Walter D. Davidge of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. November, 23d. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.

John M. Wright. Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Erastus G. Brown it was ordered that Edgar K. Brown Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George W. Farnsworth
vs. Pff. in Error.
The Territory of Montana.

This cause was argued by Mr. James Lowndes.

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of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

94. John A. Wallace vs. Appellant / Edward Johnstone et al. — This cause was argued by Mr. George Morris of counsel for the appellant, and Mr. James Hagerman and Mr. J. J. Anderson of counsel for the appellees.

96. Harriet A. Purdy, Admx of Wm. A. Purdy, deceased. vs. Plff. in Error / The Town of Lansing. — The argument of this cause was commenced by Mr James R. Cox of counsel for the plaintiff in error and continued by Mr. Francis Kernan of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 26th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that H. M. Lane, Esquire, of Louisville, State of Kentucky, and Allen G. M. Vermilya, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Maddox it is ordered

that Abraham Clarke Brannan, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States		Appeal from the
1161.	vs Appellant.	Court of Claims.
Joseph Mc. Dowd.		

This cause came on to be heard on the transcript of record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar

Frederick Meisner, Charles G. Ackermann and Charles F. L. Meisner		Appeal from
73.	vs. Appellants.	the
Herman Brun, Master of the Norwegian Barque, "Gazelle."		Circuit Court

of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court. that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

74.	David J. Sweeney	vs.	Appellant
	Cara Woodworth and L. B. Woodworth.		Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof. It is now here

ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

The Fire Insurance Association (limited) v. Pltf. in Error. John W. Wicklain Jr. et al. — On consideration of the motion to dismiss the writ of error in the

1032

cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Bradley.

Henry R. Denny. v. Pltf. in Error. Charles C. Bennett, as Assignee of A. B. Van Norman & Brother — In Error to the Supreme Court of the State of Illinois

67.

This cause came on to be heard on the

Transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Harlan.

Clarence P. Hunt
vs. Appellant.
Sallie S. Blackburn, Charles B. Blackburn and W. P. Smith.

Appeal from the District Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District

Court, in this cause, be, and the same is hereby, reversed with costs, and that this cause, be, and the same is hereby, remanded to the said District Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Chief Justice Fuller.

W. M. Quinby & J. S. Boon. vs. Plff. in Error. In Error to the Supreme Court of the State of Colorado.

131. J. Scott Boyd jr. Richard S. Hawes. Judson Bent et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on a motion to dismiss the writ of error or affirm the judgment, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

256.

Peter A. Warren substituted for Joel W. Kelsey, Treasurer of Lucas County, Ohio. vs. The First National Bank of Toledo, Ohio.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on a motion to dismiss this appeal or affirm the decree which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Foster A. Warren, substituted for Joel W. Kelsey, Treasurer of Lucas County, Ohio
357. vs. Appellant
The Second National Bank of Toledo, Ohio.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Foster A. Warren, substituted for Joel W. Kelsey, Treasurer of Lucas County, Ohio.
358. vs. Appellant.
The Toledo National Bank of Toledo, Ohio.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

359. Walter R. Warren, substituted for Jos W. Kelsey, Treasurer of Lucas County, Ohio. vs. The Merchants National Bank of Toledo, Ohio. — Appellants. — Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that this appeal be, and

the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Fuller.

Foster R. Warren, substituted for Joel W. Kelsey, Treasurer of Lucas County, Ohio. Appellant. vs. The Northern National Bank of Toledo Ohio. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

360

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

	Evan Randolph	Appeal from
1491.	vs. Appellant.	the Circuit
	The Ludlow Company, Gor-	Court of the
	ham P. Pouroy, Assignee &c.	United States
	Zechariah Chafee, Trustee and	for the Dis-
	Assignee of The A. and W. Spra-	trict of Rhode
	gue Manufacturing Company	Island.
	et al.	

This cause came on to be heard on a motion filed and submitted by Mr. C. Frank Parkhurst of counsel for the appellees, to dismiss this cause in pursuance of the 15th. rule of this Court. On consideration whereof, it appearing to the Court that new parties have not been substituted for Evan Randolph, deceased, as appellant in this cause, as provided by the order of publication issued herein, and proof of the publication of said order having been filed, It is therefore, in pursuance of the 15th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

	George W. Radford, Assignee in bankruptcy of Simeon Folsom and Frank Folsom	Appeal from the Circuit Court of the United States for the Southern District of Iowa.
1014	v. Appellant.	
	Agnes Folsom, Administratrix of Jeremiah Folsom, deceased; Jonas B. Blake, administrator de bonis non etc. of Sarah M. Folsom, deceased, Agnes Folsom, Adele Folsom et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

1209. The Pacific Express Company vs. Plff. in Error Law. Mealie

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

672. William K. Robertson, Collector etc. vs. Plff. in Error. C. Lawrence Perkins and Stephen H. Olin, Executors etc

1279. ——— and ——— John M. Davis et ab. vs. Plffs. in Error. Charles E. Miller and Daniel S. Rollins, Executors etc

On consideration of the motions to advance these cases It is now here ordered by

the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on the second Monday in January next.

per Mr. Chief Justice Fuller.

Walter B. Brooks
vs. Pff. in Error
Adolph Ahrens, surviving partner of William Stirling and Theodore Ahrens late trading as Stirling and Ahrens.

In Error to the Court of Appeals of the State of Maryland.

1200

This cause being called to the attention of the Court by Mr. Frank P. Clark in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is therefore in pursuance of said motion now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Town of Danville
1109. vs. Appellant
J. Miller Brown et al.

The motion to vacate the supersedeas in this cause was argued by Mr. Frank P. Clarke in support of the same, and Mr. H. H. Marshall in opposition thereto.

Ex parte: In the matter of The Farmers Loan and Trust Company.
4 Original ——— Petitioner.

Mr. J. Hubley Ashton, of counsel for the respondent, filed a return to the rule to show cause issued herein, and on his motion, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, December 17th. after the cases heretofore assigned for that day.

The Baltimore and Potomac Railroad Company.
1173 vs. Plff. in Error.
Thaddeus A. Hopkins.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed argu-

uments by Mr. Samuel Maddox and Mr. S. S. Henkle in support of the same, and Mr. Enoch Totten in opposition thereto.

Harrison H. Ballard. vs. Ansom Sears. Appellant. 144

The motion to reverse the decree of the Circuit Court of the United States for the Eastern District of Michigan in this cause and to remand the cause to the said Circuit Court with a direction to dismiss the bill of complaint was submitted to the consideration of the Court on printed arguments by Mr. Charles J. Hamb in support of the same, and Mr. Allen G. W. Vermilya in opposition thereto.

Thomas Walston, Trustee et al. vs. Joseph Merin et al. Plff. in Error. 1129.

And.

John G. Roach et al. vs. Joseph Merin et al. Plffs. in Error. 1160

The motions to dismiss the writs of error or affirm the judgments in these cases were submit-

ted to the consideration of the Court on printed arguments by Mr. A. W. Lane and Mr. J. K. Goodloe, in support of the same. Mr. B. F. Buckner of counsel for the plaintiffs in error objected to the submission of the motions.

	The Central National Bank of Washington City et al.	On motion of Mr. J. Hobdsworth Goodloe of counsel for Annie G. Hume, leave is hereby granted the Clerk to issue the mandate in these cases.
29	vs. Appellants.	
	Annie G. Hume et al	
	and	
	Annie G. Hume	
30	vs. Appellant	
	The Central National Bank of Washington City et al.	
	Reuben P. Legaré et al.	The motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. O. A. Barrett, in support of the same, and Mr. L. F. Phillips,
115.	vs. Plffs. in Error.	
	William B. Baltzer.	

Mr. J. G. Jaclery and Mr. W. H. Lamar in opposition thereto.

Harriet A. Purdy, Admx. etc
vs. Plff. in Error
The Town of Lansing.

The argument of this cause was continued by Mr. Erastus Brennan, of counsel for the defendant in error, and concluded by Mr. James R. Cox, of counsel for the plaintiff in error.

97. Erastus G. Brown et al. Executors, etc.
vs. Appellants.
Sarah S. Sutton.

This cause was argued by Mr. Erastus G. Brown of counsel for the appellants, and submitted on a printed argument by Mr. Edwin Hurlbut and Mr. Winfield Smith, of counsel for the appellee.

98. Ida Polstow
vs. Appellant.
George B. Purpin, Trustee et al.

The argument of this cause was commenced by

Mr. Washington Dessau, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Tuesday. November 27th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar
John M. Wright. Esquire. Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened

Reuben P. Legrist et al. vs. Plffs. in Error. William B. Crabtree. 115. On consideration of the motion for a writ of certiorari in this cause and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

98 Ida Rolston vs. Appellant. George B. Purpin: Trustee et al. The argument of this cause was continued by Mr. Washington Orrson, of counsel for the appellant, Mr. A. O Bacon and Mr. John C. Rutherford, of counsel for the appellee, and Mr. Clifford Anderson of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, November 28th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Joseph P. Bradley
John M. Harlan. Associate
Horace Gray Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

98 Ida Rolston
vs. Appellant.
George B. Purpus:
Trustee et al.

The argument of this cause was concluded by Mr. Clifford Anderson, of counsel for the appellant.

99 W P Ware
vs. Appellant.
J. H. Allen et al.

The argument of this cause was commenced by Mr. Mar

Allen Green, of counsel for the appellant, and continued by Mr. John W. Allen of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. December. 3rd. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright. Esquire. Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles W. Horton it is ordered that Edward R. Rector. Esquire of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George W. Farnsworth
93 v. Pff. in Error.
The Territory of Montana.

It is ordered by the Court that counsel in this cause be, and they are hereby, granted leave to file printed arguments on or before the third Monday of December upon the question of the jurisdiction of this Court in criminal cases from the Territory of Montana.

per Mr. Chief Justice Fuller.

Harrison H. Ballard
114 v. Appellant
Anson Searls.

It is ordered by the Court that the motion to reverse the decree of the Circuit Court in this cause be, and the same is hereby, continued for hearing with the case on its merits.

per Mr. Chief Justice Fuller.

The Town of Danville.
1109 v. Appellant
J. Wilcox Brown et al.

On consideration of the motion to vacate the supersedeas in this cause and of the argument of counsel thereupon had

as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

103. The United States v. Carrie Jones. Appellant. Mr. Attorney General Garland, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

446. William H. Robertson, Collector &c. v. Louis A. Salomon & al. Plff. in Error. Mr. Solicitor General Clarke, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

346. The United States v. The American Bell Telephone Company. Appellant On motion of Mr. Solicitor General Clarke, of counsel for the appellant

secure is hereby granted the Clerk to issue the mandate in this cause.

Frederick Myers. Appellant
vs
Edward A. Smith.

Mr. Nathan Rice submitted to the consideration of the Court a motion for an order on the Clerk directing him to pay over any moneys remaining in his hands, after satisfying the costs incurred by the appellant in this case, from the deposit made by U. Wright Kingsley to secure costs, which motion was opposed by Mr. George Hickson Curtis, of counsel for appellant. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints, et al. Appellants.
vs
1423. The United States.

Mr. J. J. Richards of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

The Northern Pacific Railroad Company
248 vs. Plff. in Error
Frank W. Yates

In Error to the Supreme Court of the State of Wisconsin.

This cause being called to the attention of the Court by Mr. James McNaught of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is therefore in pursuance of said motion now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Adolph E. Rogé, individually and as administrator of Maria Francisca Rogé, deceased.
1447 vs. Appellant.
Adolph E. Borie et al.

Mr. J. Hubley Ashton of counsel for the appellees, having filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States for the Eastern District of Pennsylvania.

Of October Sessions 1879.

No. 43.

In Equity

Adolphe E. Roge, a citizen of the Republic of France, as administrator of Marie Francisca Roge, deceased, & on behalf of himself.

Complainant.

vs.

Adolphe E. Borie, Adolphe E. Borie, Trustee of Sophia Bohlen Halbach and Alwina A. C. Brautzer, Adolphe E. Borie, Trustee of Sophie E. Bohlen, Henry P. Borie; Adolphe E. Borie and Henry P. Borie, Trustees of Mary and Sophia B. Keating, Charles L. Borie, Adolphe E. Borie and Charles L. Borie, Trustees of Elizabeth H. and Emily W. Leech, Lawrence Leech, Charles L. Borie and Henry P. Borie, Trustees of Josephine L. Borie, John J. Borie, Charles L. Borie and Elizabeth D. Borie, Executors of Adolphe E. Borie, Sophie E. Bohlen, Sophia B. Keating, Mary Keating and Josephine L. Borie, Beaureau Borie and William Wynne Wistar, Executors of J. J. Borie, Henry P. Borie and

James W. Paul. Executors of the will of
Sophia E. Bohlen. Defendants.

United States of America
Eastern District of Pennsylvania: ss

I. Samuel Bell, Clerk of the Circuit Court of the United States for the Eastern District of Pennsylvania, do certify that in a cause lately pending in the said Circuit Court the parties whereof are above stated a final decree was rendered by the said Circuit Court on the twenty-third day of February 1886 in favor of the defendants and against the complainant and that on the twentieth day of February A. D. 1888 the said complainant prayed an appeal to the Supreme Court of the United States which was allowed and a bond for security on the appeal approved and filed.

In testimony whereof I have hereto subscribed my name and affixed the seal of the said Circuit Court at Philadelphia in said District this 24th day of November A. D. 1888, and in the 113th.

year of the Independence of the said United States.

(Seal.) Samuel Bell.
Clerk Circuit Court U.S.
East. Dist. of Penna."

moved the Court to docket and dismiss this cause pursuant to the 9th. rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The United States ex rel:
Charles A. Miller
793. vs. Plff. in Error.
John C. Black. Commissioner of Pensions.

The motion to recall the mandate and amend the judgment in this cause was argued by Mr. Assistant Attorney General Maury in support of the same, and Mr. J. G. Bigelow in opposition thereto.

Evan Randolph.
471. vs. Appellant
The Lindsuck Company et al.

Mr. B. F. Butler of counsel for the appellant, submitted to the consideration of the Court a motion to rescind and annul the decree of dismissal entered herein on November 26th, 1888 and to restore the cause to the docket.

W. P. Ware
99. vs. Appellant.
J. H. Allen et al.

The argument of this cause was continued by Mr. John M. Allen of counsel for the appellees. and concluded by Mr. Calderon Carlisle of counsel for appellant

year of the Independence of the said United States.

(Seal.) Samuel Bell.
Clerk Circuit Court U.S.
East. Dist. of Penna."

moved the Court to docket and dismiss this cause pursuant to the 7th. rule: and it appearing to the Court that the appellant has failed to have his cause filed & docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The United States ex rel:
Charles R. Miller
793 vs. Plff. in Error.
John C. Black. Commissioner of Pensions.

The motion to recall the mandate and amend the judgment in this cause was argued by Mr. Assistant Attorney General Maury in support of the same, and Mr. J. G. Bigelow in opposition thereto.

Evan Randolph.
491. vs. Appellant
The Quicksack Company et al.

Mr. B. F. Butler of counsel for the appellant, submitted to the consideration of the Court a motion to rescind and annul the decree of dismissal entered herein on November 26th. 1888 and to restore the cause to the docket.

W. P. Ware
99. vs. Appellant.
J. H. Allen et al.

The argument of this cause was continued by Mr. John M. Allen, of counsel for the appellees, and concluded by Mr. Calderon Carlisle of counsel for appellant

1081. John P. Kennedy. vs. Appellant. Milton W. Hazeltine.

This cause was submitted to the consideration of the Court. pursuant to the 20th. rule, on the record and printed arguments by Mr. Clarence A. Seward of counsel for the appellant, and Mr. E. C. West and Mr. L. L. Bond, of counsel for the appellee.

100. The Minneapolis & St. Louis Railway Company. vs. Pff. in Error. Oliver Beckwith.

This cause was argued by Mr. Eppa Hunton of counsel for the plaintiff in error and submitted on the transcript of the record by the defendant in error.

101. Sylvester A. Noble. vs. Pff. in Error. De Forest Hammond, survivor etc.

This cause was argued by Mr. Guy C. Noble of counsel for the plaintiff in error and Mr. Henry R. Hart of counsel for the defendant in error.

The County of Jackson Mo.
102 vs. Plff in Error.
The Ninth National Bank
of New York.

The argument of this cause was commenced by Mr. Edward P. Gates of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Stewart it is ordered that Edward W. Mc Graw, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

The motion first made to the Court in this behalf by Mr S. H. Dolph it is ordered that Maurice McMicken and J. C. Haines, Esquires, of Seattle, Territory of Washington, be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly

	The County of Jackson, Ills.	The argument of this cause was continued by Mr Edward C. Gates. of counsel for the plaintiff in error and Mr. John B Henderson, of counsel for the defendant in error. and concluded by Mr. Gates. for the plaintiff in error.
102	vs. Aff in Error	
	The Ninth National Bank of New York.	

	William J. Adams.	Appeal from the Circuit Court of the United States for the Eastern Dis-
103.	vs. Appellant	
	William B. Hatch & C. L. Hatch, his wife, in right of said wife: and Elmer A. Grey, Joseph Hancock & Truman Grey, trading as Elmer A. Grey and Company.	

trict of Pennsylvania.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Samuel Christ and Dudley Blanchard.		In Error to the Circuit Court of the United States for the Western District of Pennsylvania.
104	vs. Pipe in Error.	
Andrew Fitzsimmons.		

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by

this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Alfred Carr, Superintendent of the Insurance Department of the State of Missouri

105 vs. Appellant.

John C. Hamilton, Executor &c.

This cause was argued by Mr. Alfred Goodthreute of counsel for the appellant & Mr. H. B. Blanchard of counsel for the appellee.

The City of Shreveport

106 vs. Plff. in Error

R. E. Cole and R. E. Jacobs, Executors etc.

And

Andrew Currie, Mayor etc. et al.

107 vs. Plffs. in Error

The U. S. ex rel: R. E. Cole and R. E. Jacobs, Executors etc.

These cases were argued by Mr Charles W. Horner, of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. C. Alexander and Mr.

W. C. Blanchard of counsel for the defendants in error.

Cyrus A. McCormick et al Executors etc.		The argument of this cause was commenced by Mr. R. H. Parkinson,
108.	vs. Appellants.	
Peter Whitmer, Admr. etc.		

of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, December 5th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Lowell it is ordered that Paul A. Bate and Richard M. Dyer, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Samuel F. Phillips it is order-

ed that Eugene Clinton, Esquire, of Greene, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

862. The Bate Refrigerating Co. vs. Appellant. Geo. H. Hammond and Co and Florence I. Fowler, Admx. &c. vs. Appellant. Robert Hamill. 145.

Mr. John Lowell of counsel for the Bate Refrigerating Company, presented stipulations signed by the counsel for the respective parties in these cases agreeing that case No. 862 be substituted for case No. 145, in the call of the docket, and vice versa, and moved the Court to make an order to that effect, which was opposed by Mr. Samuel G. Phillips, of counsel for The Consolidated Electric Light Company and The United States Electric Lighting Company. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

	Cyrus H. McCormick et al Executors etc	The argument of this cause was continued by Mr. R. H Parkinson, of
108	vs. Appellants	
	Peter Whitmer, Admr. etc.	

counsel for the appellants, and Mr. Thomas O. Banning of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday. December 6th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright. Esquire. Marshal
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Dickson Curtis it is ordered that Horace Barnard. Esquire of the City. County and State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Cyrus H. McCormick et al. Executors etc.
108. vs. Appellants.
Peter Whitmer, Admr. etc.

The argument of this cause was continued by Mr. Thomas J. Bannigan of counsel for the appellee and concluded by Mr. R. H. Parkinson, of counsel for the appellants.

Louis B. Shields, Admr. etc.
109. vs. Appellant.
Anna Hanbury et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. H. C. Cady, of counsel for the appellant. No counsel appeared for the appellee.

The Union National Bank of Chicago et al.
110. vs. Appellants
The Bank of Kansas City et al

On motion of Mr. William Warner of counsel for the appellee.

It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of Section 9 of Rule 21.

111

The Louisville, Cincinnati & Lexington Railroad Co. vs. The Switzerland Marine Insurance Company. } Pff. in Error

The argument of this cause was commenced by Mr. T. D. Lincoln of counsel for the plaintiff in error, and continued by Mr. Caleb Bentley Matthews, of counsel for the defendant in error, and Mr. Lincoln, for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. December. 7th. 1888

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Frederick Myers. vs. Edward C. Smith. Appellant.

62. Mr. George Dickinson Curtis presented to the Court a stipulation with-drawing the motion heretofore submitted to the Court in this case regarding the disposition of the balance of money, after satisfying the costs, remaining in the hands of the Clerk.

117. H. J. Springfield et al. vs Plffs. in Error. George A. Thomas.

Mr. A. A. Herbert, in behalf of Mr. S. D. Rice of counsel for the plaintiffs in error, suggested the death of George A. Thomas, the defendant in error in this cause and moved the Court for an order, under the 15th. rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said George A. Thomas, deceased, as aforesaid, shall voluntarily become parties within the first two days of the ensuing term of this Court, the plaintiffs in error shall be entitled to open the record and on hearing, have the judgment reversed, if it be erroneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of Tennessee, for three successive weeks, at least sixty days before the beginning of this term of the Supreme Court then next ensuing.

	The Louisville, Cincinnati & Lexington Railroad Company.	The argument of this cause was concluded by Mr. E. D. Lincoln
111.	vs. Pff. in Error.	
	The Switzerland Marine Insurance Company.	

of counsel for the plaintiff in error.

	The Union Curing Company, Pltf.	Appeal from the Circuit Court of the United States for the Southern District of New York.
	The E. P. Treadwell Manufacturing Company.	
112.	vs. Appellants.	
	The Patterson Company, Limited & David J. Hutchinson.	

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

113.	Charles Probst vs. Pff. in Error. The Trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church U. S. A.	This cause was argued by Mr. G. W. Clancy and Mr. O. D. Barrett, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. John E. Parsons, of counsel for the defendants in error.
114.	William Tinkertow vs. Pff. in Error. Epifanio Ledoux.	This cause was argued by Mr. G. W. Clancy of counsel for the plaintiff in error and Mr. Henry E. Davis, of counsel for the defendant in error.
115	Reuben P. Segrist et al. vs. Pffs. in Error. William B. Crabtree.	The argument of this cause was commenced by Mr. O. D. Barrett of counsel for the plaintiffs in error

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 10th 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. G. Lancaster it is ordered that George P. Goff, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. M. Ostrom it is order-

ed that Ira W. Bull, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

The German Savings Bank of Davenport, Iowa.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.
46 vs Appellant.	
The County of Franklin, Illinois.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court: that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Ex parte: In the matter of The Chateaugay Ore and Iron Company. } On petition for a writ of mandamus

3. Original ——— Petitioner

On consideration of the petition for a writ of mandamus and return to the rule to show cause issued herein, and of the argument of counsel thereupon had as well in support of as against the said petition, It is now here ordered by the Court that the writ of mandamus as prayed in said petition be, and the same is hereby, awarded commanding the Honorable Nathaniel Shipman, District Judge of the United States for the District of Connecticut, assigned to hold, and who held, the Circuit Court of the United States in and for the Southern District of New York, to settle the bill of exceptions tendered by the petitioner, according to the truth of the matters which took place before him on the trial of the action mentioned in said petition, and, when so settled, to sign it as of the 10th.

day of April 1888, that being the day when the proposed bill and proposed amendments were submitted to him for settlement.

per Mr. Justice Blatchford.

	The Trustees of Dublin Township, Mercer County, Ohio.	In Error to the Circuit Court of the United States for the Northern District of Ohio.
943.	vs. Pff. in Error.	
	The Milford Sure Cash Savings Institution	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

The Farmers Friend Manufacturing Company		Appeal from the Circuit Court of the United States for the Western District of Michigan.
92.	vs. Appellant.	
The Challenge Corn Planter Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Harriet A. Purdy, Administratrix of William A. Purdy, deceased.		In Error to the Circuit Court of the United States for the North ern District
96	vs. Plff. in Error.	
The Town of Lansing.		

of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

90. Eliab W. Metcalf, Plff. in Error, vs. The City of Watertown. In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in

this cause be, and the same is hereby, reversed, costs to be paid by plaintiff in error: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for such further proceedings as may be consistent with law.

per Mr. Justice Harlan

Elon A. Marsh, Milward Lafever & James Scott. Appeal from the
vs. Circuit Court of
72. Nichols, Shepard & Company (a corporation). the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

Nichols, Shepard & Company (a corporation)		Appeal from the Circuit Court of
75.	vs. Appellants.	the United States
Elon A. Marsh, Willard Lapeer and James Scott.		for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

Goodyear's India Rubber Glove Manufacturing Co.		Appeal from the
& Goodyear's Rubber Manufacturing Company.		Circuit Court of the United States
119.	vs. Appellants.	for the Southern District of New
The Goodyear Rubber Company.		York.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that the decree of the said Circuit Court, in this cause, as to the original bill, be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the original bill with costs. ..... per Mr. Justice Field.

William Glasgow, Junior, Commissioner of Section 16, Township 45, North, Range 7 East. ..... vs ..... Plff. in Error. John Baker, Robert J. Coleman, Esther Collins et al.

In Error to the Supreme Court of the State of Missouri.

40.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was ar-

ged by counsel. On consideration, where-
of, It is now here ordered and adjudged by
this Court that the judgment of the said
Supreme Court, in this cause, be, and the
same is hereby, affirmed with costs.
per Mr. Justice Miller.

W. H. Robilson, Collector, etc. — On consideration
1476. vs. Aff. in Error. — of the motion to
Louis A. Salomon et al. — advance this cause,
It is now here or-
dered by the Court that said motion be, and
the same is hereby, granted and the cause
assigned for argument on the second Mon-
day in January next, after the cases hereto-
fore assigned for that day.
per Mr. Chief Justice Fuller.

The United States — On consideration
1703 vs. Appellant. — of the motion to ad-
Carrie Jones. — vance this cause, It
is now here ordered
by the Court, that said motion be, and the
same is hereby, granted, and the case assign-
ed for argument on the second Monday in

January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1423. The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al. vs. Appellants. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the case assigned for argument on the second Monday in January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

491. Evan Randolph vs. Appellant The Quidnick Company et al. On consideration of the motion to vacate the order of dismissal entered herein and of the argument of counsel in support of the same. It is now here ordered by the Court that said motion be, and the same is

hereby, granted upon the executors of Evan Randolph, deceased, being duly made parties, and their appearance entered, under the rule, within thirty days, and the payment of costs.

per Mr. Chief Justice Fuller.

The Gate Refrigerating Co.
862. vs. Appellant.
George A. Hammond & Co.
And
Florence L. Fowler, Admx. of
Samuel W. Fowler.
1145. vs. Appellant
Robert Hamill.

On consideration of the motion and stipulation of counsel for the respective parties in these causes to substitute No. 862 for No. 1145

and vice versa, in the call of the docket, it is now here ordered by the Court that said motion be, and the same is hereby, granted, with leave to counsel for the Consolidated Electric Light Co., and the United States Electric Lighting Co. to file printed briefs, if they so desire.

per Mr. Chief Justice Fuller.

George B. List
984. vs. Pff. in Error.
The Commonwealth of
Pennsylvania

In Error to the
Supreme Court
of the State of
Pennsylvania.

The death of George B List the plaintiff in error, in this cause, having been suggested in a communication from counsel for defendant in error to the Clerk, and it appearing to the Court that this is a criminal case, It is considered by the Court that this cause has abated. Therefore, It is ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States, ex rel:
Charles R. Miller
793. vs Pff. in Error.
John C. Black, Commissioner of Pensions.

On consideration of the motion to recall the mandate and to reform the

judgment in this cause, It is now here

ordered by the Court that said mandate be, and the same is hereby, recalled, and that the judgment entered in this cause be, and the same is hereby, amended by omitting the award of costs, and that an amended mandate be issued.

per Mr. Chief Justice Fuller.

	Thomas Walston, Trustee of Emma C. Walston and Emma C. Walston		In Error to the Court of Appeals of the
1129.	vs.	Plffs. in Error.	State of Kentucky.
	Joseph Nunn and Samuel B. Richardson.		

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on a motion to dismiss the writ of error or affirm the judgment, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs. per Mr. Chief Justice Fulle

	John G. Roach. Julius Winter. Frederick Jansen et al.	In Error to the Court of
1160.	vs. Plffs. in Error.	Appeals of
	Joseph Merriam & Samuel B. Richardson.	the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on a motion to dismiss the writ of error or affirm the judgment, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

	The Louisville, Cincinnati & Lexington Railway Company.	In Error to the Circuit
111.	vs. Plff. in Error.	Court of the
	The Switzerland Marine Insurance Company.	United States for the South-

ern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

777 | Jose Menendez & Joaquin Menendez. —— Appellants | Appeal from the Circuit Court of the United States for the Southern District of New York.
| vs. |
| Robert S. Holt, Leonard J. Busby & Charles W. McCutchen. |

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of New York, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Alfred C. Ryder, Appellant. — Appeal from the Circuit Court of the United States for the Southern District of New York.

76. vs

Robert L. Holt, Leonard J. Busby & Charles W. Mc. Pitcher.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration, whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the

same is hereby remanded to the said Circuit Court.

per Mr. Chief Justice Fuller.

137. Gallmadge E. Brewer vs. The District of Columbia. Appellant. On motion of Mr. A. S. Worthington, of counsel for the appellant, It is ordered by the Court that this cause be passed if reached on or before the 20th. instant.

301. Dumont Clarke vs. William L. Cleburne and John J. P. Odell. Appellant. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr C. W Osborn of counsel for appellees, and a stipulation to dismiss this cause having been filed. It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed.

	Reuben P. Legrist et al.	Mr. O. D. Barrett
115.	vs. Plffs. in Error.	of counsel for the
	William B. Crabtree.	plaintiffs in er-
		ror, submitted

to the consideration of the Court a motion to correct the writ of error in the cause by striking out of the same the names of Sim Holding and Frank E. Bell.

	Reuben P. Legrist et al.	The argument
115.	vs. Plffs. in Error.	of this cause was
	William B. Crabtree.	continued by Mr.
		O. D. Barrett

of counsels for the plaintiffs in error and Mr. Samuel G. Phillips of counsel for the defendants in error, and concluded by Mr. O. D. Barrett for the plaintiffs in error.

	The City National Bank	This cause was
	of Fort Worth et al.	submitted to the
116.	vs. Appellants.	consideration
	R. D. Hunter et al	of the Court on
		the record and

printed arguments by Mr. A. S. Lathrop of counsel for the appellants, and Mr. Sawnie

Robertson, of counsel for the appellee.

The Schrader Mining & Manufacturing Company.	The argument of this cause was commenced by Mr John F. Anderson, of counsel
118. vs. Plff. in Error.	
Elisha A Packer.	

for the plaintiff in error and continued by Mr. D. C. De Witt, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. December 11th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Springer it is ordered that J. W. Mason, Esquire, of Wyandotte, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. William Henry Clifford, it is ordered that Robert L. Bibb, Esquire, of Beatrice, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

86. The Western Union Telegraph Co. Plff. in Error. vs. The Commonwealth of Pennsylvania. On motion of Mr. John G. Sanderson of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

120. Maria C. Pilla et al. Appellants. vs. The German School Association & Free Community of St. Louis & Brenew. On motion of Mr. Wm. Henry Clifford in behalf of Mr. W. Hallett Phillips, of counsel for the appellants. It is ordered by the Court that this cause be passed, subject to the provisions of Section 9. Rule 26.

Elsie White et al.
129. vs. Appellants.
Frederick W. Goltzhausen.

On motion of Mr. C. W. Osborn, — leave is hereby granted to withdraw the appearance of W. W. Fuller, as counsel for the appellants in this cause

per Mr. Justice Miller.

The Schraeder Mining & Manufacturing Company
118. vs. Plff. in Error.
Elisha A. Packer.

The argument of this cause was continued by Mr D. D. De Witt, of counsel for the defendant in error, and concluded by Mr John G. Sanderson of counsel for the plaintiff in error.

Frank W. Dent
119. vs. Plff. in Error.
The State of West Virginia.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. H. Dent. of counsel for the plaintiff in error, and Mr Alfred Caldwell of counsel for the defendant in error.

Nathan Rasmussen et al. vs. John Berry. Appellants.

124. The argument of this cause was commenced by Mr. William Henry Clifford, of counsel for the appellants, and continued by Mr. Wilbur F. Lamb, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday. December 12th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that G. B. Rose, Esquire, of Little Rock, State of Arkansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Evan Randolph
1491 vs. Appellant.
The Ludlow Company et al.

On motion of Mr. O.O. Barrett, of counsel, it is now here ordered by the Court that John L. Jencks, William H. Jencks and Charles Rhoades, Executors of Evan Randolph, deceased, be, and they are hereby, made the parties appellant in this cause in place of Evan Randolph, deceased: and it is further ordered by the Court that the order of dismissal entered herein on November, 26th. 1888 be, and the same is hereby, vacated and set aside and the cause restored to the docket.

H.H. Goodell.
587 vs. Plff. in Error.
George Kreckbaum, Sheriff etc.

Mr. J.M. Wilson in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to enter a judgment in this cause pursuant to a stipulation of the counsel for the respective parties.

122 Nathan Rosenwasser et al. ... Appellants vs. John Berry. The argument of this cause was concluded by Mr. William Henry Clifford of counsel for the appellants

123. The United States Plff. in Error. vs. Dennis Conway et al. This cause was argued by Mr. Assistant Attorney General Maury of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

124 Charles C. Pinckney Jr. Plff. in Error. vs. The State of South Carolina. In Error to the Supreme Court of the State of South Carolina.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcripts of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered and

adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Kentucky Central Railroad Company vs. Plff. in Error. In Error to the Court of Appeals of the State of Kentucky.

126 The County of Bourbon in the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of error, and failing to appear: It is thereupon, in pursuance of the 16th. rule of this Court, and on the motion of Mr. Alvin Duvall, of counsel for the defendant in error, now here ordered and adjudged by this Court, that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals

to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

James C. Sargent and John W. Graham. Admrs. etc vs. Appellants.
127. Edwin K. Burgess.

The argument of this cause was commenced by Mr. George N. Christy, of counsel for the appellants and continued by Mr. James Parsons and Mr. Furman Sheppard, of counsel for the appellee, and Mr Christy for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 13th. 1888.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

137. James C. Sargent &c & John M. Gorham, Administrators &c. Appellants
v.
Edwin R. Burgess.

The argument of this cause was concluded by Mr. George H. Christy of counsel for the appellants.

128 The Union Pacific Railway Co. vs. Appellant Maria W. Mc. Alpine et al. On motion of Mr. J. M. Wilson, of counsel for the appellant, and consent of counsel for the respective parties, It is ordered by the Court that case No. 129 be substituted for this case in the call of the docket and tried next.

129 Elsie White et al. vs. Appellants Frederick W. Coltzhausen. The Chief Justice announced that having been retained as counsel for the appellants in this cause he would not sit during the argument of the cause.

129 Elsie White et al. vs. Appellants Frederick W. Coltzhausen. On motion of Mr. C. M. Osborn, of counsel for the appellants, Leave is hereby granted him to file certain affidavits herein.

129 Elsie White et al. vs Frederick W. Holthausen. Appellants

The argument of this cause was commenced by Mr C. M. Osborn, of counsel for the appellants, and continued by Mr. Enoch Totten, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday December 14th 1888.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that Joseph A. Burr, Jr., Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly

	H. H. Goodell	In Error to the
387.	vs. Pff. in Error	Supreme Court
	George Kruckbaum Sheriff	of the State of
	of Des Moines County, Iowa.	Iowa.

This cause having been called to the attention of the Court by Mr. J. M. Wilson, in behalf of counsel, and a stipulation to reverse the judgment of the Supreme Court of the State of Iowa in this cause having been filed, which stipulation is in the following words, viz:

"It is hereby stipulated that the following order may be entered in the above entitled cause: The judgment of the Supreme Court of Iowa is hereby reversed, and the case is remanded to that Court, with an instruction to enter a judgment discharging the plaintiff in error from custody."

On consideration whereof, and in pursuance of said stipulation, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the

said Supreme Court with an instruction to enter a judgment discharging the plaintiff in error from custody

per Mr. Chief Justice Fuller.

Sarah Althea Hill. Mr. Henry E. Davis
1452. vs. Appellant. of counsel for the
William Sharon. appellee, having
filed in open
Court the following certificate, to wit:

"In the Circuit Court of the United States
Ninth Circuit, Northern District of California.

I, L. J. C. Sawyer, Clerk of the Circuit Court of the United States for the Northern District of California, do hereby certify that in a certain cause pending in the Circuit Court of the United States for the District of California, wherein William Sharon was Complainant, and Sarah Althea Hill was defendant, a final decree was rendered by said Circuit Court on the 15th. day of January, A.D. 1886, in favor of said William Sharon vs against said Sarah Althea Hill, and that on the

2d day of November, A.D. 1887, said Sarah Althea Hill prayed and was allowed an appeal from said decree in this cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of the Circuit Court of the United States for the Northern District of California, at San Francisco, California, this 9th day of October, A.D. 1888

(Seal)

L. S. B. Sawyer,
Clerk.

moved the Court to docket and dismiss this cause pursuant to the 9th. rule: and it appearing to the Court that the appellant has failed to have her cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of California be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the

United States for the Northern District of California, to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

Elsie White et al. vs. Frederick W. Coltmann. Appellants

129. The argument of this cause was continued by Mr. Enoch Totten of counsel for the appellee and concluded by Mr. Ira W. Buell, of counsel for the appellants.

The Union Pacific Railway Co. vs. Maria W. McAlpine et al. Appellant.

128. The argument of this cause was commenced by Mr. J. M. Wilson, of counsel for the appellant and continued by Mr W. M. Springer and Mr. J. M. Mason, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 17th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L.C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that James S. Harlan, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Hubegun, it is ordered

that Benjamin B. Kingsbury, Esquire, of Defiance, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. B. Bradford it is ordered that B. P. Waggener & W. A. Webb, Esquires, of Atchison, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse it is ordered that John B. Knox, Esquire, of Talladega, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

41. George D. Cragin vs. C. L. Powell et al — Appeal from the Circuit Court of the United States for the Eastern Dis-

trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition of the plaintiffs below at their costs

per Mr. Justice Lamar.

Bernard Callaghan, Andrew Callaghan, Andrew J. Callaghan and Sheldon A. Clark		Appeal from the Circuit Court of the United States for the Northern District of Illinois
71.	vs. Appellants.	
Eugene B. Myers.		

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed as to volume 32, and affirmed in all other respects, with costs to the appellee: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to correct the decree by deducting from the $6986.05 therein mentioned, the sum of $926.66 2/3 by vacating the injunction as to volume 32, and to take such further proceedings as may be according to law and not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

1081 John C. Kennedy, Appellant, vs. Milton W. Hazelton. Appeal from the Circuit Court of the United States for the Northern Dis-

trict of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Dissenting:
Mr Justice Bradley and
Mr. Chief Justice Fuller.

Louis B. Shields, Administrator of Emily Hoyt, deceased.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
109	vs. Appellant.	
Anna Hanbury, Michael Andrew Rorke, Lyman Baird et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Gray.

Michael Hachelberg & Moses Kind, copartners as Hachelberg and Company.
vs. Appellants.
Ernesto Pouce.

Appeal from the Circuit Court of the United States for the District of Maine.

51.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

	The United States	Appeal from the Circuit
82.	vs Appellants.	Court of the United
	The Iron Silver Min-	States for the District
	ing Company et al.	of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field

	W. P. Ware.	Appeal from the
99.	vs Appellants.	Circuit Court of
	J. H. Allen, J. H. Web and	the United States
	J. P. Bush, partners under	for the Southern
	the firm name of Allen,	District of Mis-
	Web and Bush.	sissippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of Mississippi and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

The County of Jackson in the State of Missouri. vs. The Ninth National Bank of New York. Plff. in Error.

102 In Error to the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and

interest will be paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

The Chief Justice announced that the Court would adjourn on Thursday the 20th instant to Wednesday, January 2, 1889.

Order.

There having been a Chief Justice of this Court appointed since the adjournment of the last term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:
For the First Circuit: Horace Gray: Associate Justice
For the Second Circuit: Samuel Blatchford: Associate Justice
For the Third Circuit: Joseph P. Bradley: Associate Justice
For the Fourth Circuit: Melville W. Fuller: Chief Justice
For the Fifth Circuit: Lucius Q. C. Lamar: Associate Justice
For the Sixth Circuit: Stanley Matthews: Associate Justice
For the Seventh Circuit: John M. Harlan: Associate Justice
For the Eighth Circuit: Samuel F. Miller: Associate Justice

For the Ninth Circuit: Stephen J. Field. Associate Justice

The Eastern Railroad Co. vs. Appellant.
134. The United States.

On motion of Mr. A. J. Willard, of counsel for the appellant. It is ordered by the Court that this cause be passed, subject to the provisions of Rule 9, rule 26.

Stewart B. Stilwell vs. Plff. in Error.
1030. Samuel A. Wood. Treasurer &c.

Mr. D. L. Watson, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

The United States vs. Appellant.
1209. John P. Knox.

On motion of Mr. George A. King, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

103. Thomas C. Chappell v. John B. Bradshaw. Plff. in Error. Mr. William A. Herbert, of counsel for the defendant in error, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

1104 The City of New Orleans v. The Louisiana Construction Company (Limited) et al. Plff. in Error. The motions to dismiss the writ of error or affirm the judgment in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. B. Howard Mc. Cabe in support of the same, and Mr. Henry D. Miller and Mr. Carleton Hunt in opposition thereto.

128. The Union Pacific Railway Co. v. Maria W. Mc. Alpine et al. Appellant. The argument of this cause was continued by Mr. James M. Mason, of counsel for the appellee, and concluded by Mr. J. M. Wilson, of counsel

for the appellant.

William Baldwin.
1514 vs. Plff. in Error
The State of Kansas.

The argument of this cause was commenced by Mr. S. Waggener, of counsel for the plaintiff in error, continued by Mr. L. B. Bradford, of counsel for the defendant in error, and concluded by Mr. W. D. Webb of counsel for the plaintiff in error.

Ex parte: In the matter of
The Farmers Loan and
Trust Company.
14. Original ——— Petitioner

The argument of this cause was commenced by Mr. Herbert B. Turner, of counsel for the petitioner

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday December 18th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright. Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that Henry G. Ledert, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

601 Robert J. Hubbard vs. George Crane, Administrator of Edward K. Goodnow, dec'd. Appellants. Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause being called to the attention of the Court by Mr. A. B. Henderson on behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

603 Emily S. Wolcott. vs. George Crane, Administrator of Edward K. Goodnow, dec'd Appellants. Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause being called to the attention of

the Court by Mr. D. B. Anderson, no being of counsel, and a stipulation to dismiss this cause having been filed. It is, therefore, on pursuance of said stipulation, now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Walter H. Stoutenburgh, Intendant etc. ..... Plff. in Error
722 vs.
William J. Hennick. ..... This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Henry E. Davis of counsel for the plaintiff in error, and Mr. Shipwith Wilmer, Mr. Enoch Fuller, Mr. Archibald Stirling and Mr. Henry Wise Garnett of counsel for the defendant in error.

Ex parte: In the matter of The Farmers Loan and Trust Company.
4 Original. ..... Petitioner

The argument of this cause was continued by Mr. Herbert B. Turner of counsel for the petitioner, and concluded by Mr.

J. Hubley Ashton. of counsel for the respondent.

James M. Seibert. Collector etc
130. vs. Plff. in Error.
The United States ex rel: G.
W. Harshman.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. John Ellis. Mr. John Johns and Mr. D.A. McKnight. of counsel for the plaintiff in error, and Mr. Clinton Rowell, of counsel for the defendant in error.

James M. Seibert. Collector etc.
131. vs. Plff. in Error
The United States ex rel: Valentine Winter.

Ordered by the Court that this cause be, and the same is hereby, passed until the decision of case No. 130 is announced.

Bullitt County
132. vs. Plff. in Error.
W.P. Washer et al.

This cause was submitted to the consideration of the Court on the record

and printed arguments by Mr. O. H. Rodman, of counsel for the plaintiff in error and Mr. Augustus E. Willson, of counsel for the defendants in error.

Dick & Arrowsmith
133 vs. Appellant.
Edward A. Gleason et al.

The argument of this cause was commenced by Mr. Benjamin B. Kingsbury, of counsel for the appellant, continued by Mr. Henry B. Harris and Mr. W. C. Cochran, of counsel for the appellees, and concluded by Mr. Henry Hulbegan, of counsel for the appellant.

Andrew Callow
1408 vs. Pff in Error.
The People of the Territory of Utah.

On motion of Mr. J. A. Mitchell, of counsel for the plaintiff in error, It is ordered by the Court, that this cause be, and the same is hereby, re-assigned for argument on the 2d day of January next, at the head of the call.

Proclamation being made the Court is adjourned until to-morrow at twelve o' clock.

Wednesday. December. 19th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius L. C. Lamar
John M. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Samuel J. Cox it is ordered that John Hancock. Esquire, of Washington. District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	David Gillson et al.	This cause was sub-
227	vs. Appellants	mitted to the con-
	The United States.	sideration of the

Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. H. B. Paine, of counsel for the appellants, and Mr. Attorney General Garland, Mr. Assistant Attorney General Howard and Mr. W. I. Hill, of counsel for the appellee.

	Maria C. Pilla, Marie Reine	Appeal from the
	Parizot by John Francis	Circuit Court of
	Parizot, her husband.	the United States
120.	vs. Appellants	for the Eastern
	The German School Associa-	District of Mis-
	tion by Free Community of	souri.
	St. Louis and Bremen.	

This cause having been called to the attention of the Court by Mr. Linden Kent, on behalf of counsel for the appellee, and a motion by counsel for the appellee to dismiss this cause having been filed, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore,

in pursuance of the 10th. rule of this Court, it is here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Robert H. Anderson
135 vs. Appellant
Henry D. Miller et al.

This cause was argued by Mr. Charles S. Whitman, of counsel for the appellant and Mr. John S. Wise, of counsel for appellee.

Frederick W. Bauer, by his next friend, Wm. Bauer
136 vs. Pff. in Error.
The Texas & Pacific R.R. Co.

This cause was argued by Mr. Winslow. S. Pierce, of counsel for the defendant in error, and submitted on a printed argument by Mr. S.P. Clark and Mr. S.W. Williams of counsel for the plaintiff in error.

Tallmadge E. Brown
137 vs. Appellant.
The District of Columbia.

Ordered by the Court that this cause, and the

same is hereby passed subject to the provisions of Section 9, rule 36.

139. The Continental Insurance Company of New York vs. Pff. in Error. David Wright And The Fire Association of Philadelphia vs. Pff. in Error. David Wright.

These cases were argued by Mr. Henry Jackson of counsel for the plaintiffs in error and Mr. L. H. Bisbee, of counsel for the defendant in error.

140. Leila Bryant, Sallie L. Mc Campbell, Pattie B. Rowland (formerly Pattie B. Bryant) Roberta Mc. Campbell Bryant Mc. Campbell, Laurel Mc. Campbell, Georgia Mc. Campbell, Amos Mc. Campbell and William T. Dudley. Appellants vs. Charles E. White, Alfred Youngs, and Guy R. Pelton, Executors of Ezra White, dec'd.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record; It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

142. Mary Ann Gibbons. vs. Jane Owen Mahon. Appellant

The argument of this cause was commenced by Mr. Henry E. Davis of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 20th. 1888.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Francis W. Morrison, Esquire, of Worcester, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

142. Mary Ann Gibbons
v.
Jane Owen Mahon.

The argument of this cause was continued by Mr. Henry E. Davis of counsel for the appellant, and Mr. S. Shirley Baldwin of counsel for the appellee, and concluded by Mr. Davis of counsel for the appellant.

143. Ex parte: In the matter of Max Rosengarten.
Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order, and authority from counsel for the appellant to dismiss this cause, having been filed, It is, therefore, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

	Harrison H. Ballard	The motion to re-
144	vs. Appellant.	verse the decree
	Anson Searls.	of the Circuit Court
		of the United States

for the Eastern District of Michigan, in this cause and to remand the cause to that Court with a direction to dismiss the bill of complaint, was re-submitted to the consideration of the Court on printed arguments by Mr. E. J. Hunt in support of the same and Mr. A. G. H. Vermilya, in opposition thereto.

	The Bate Refrigerating Co.	Ordered by the
862.	vs Appellant.	Court that this
	George N. Hammond & Co.	cause be, and the
		same is hereby,

passed until January 2d. 1889.

	The American Diamond	Appeal from the
	Drill Company.	Circuit Court of
146	vs. Appellant	the United States
	The Sullivan Machine	for the South-
	Company.	ern District of
		New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute its appeal, and failing to appear, It is, thereupon, in pursuance of the 16th. rule of this Court, and on the motion of Mr. E. G. Rice, of counsel for the appellee, now here ordered, adjudged and decreed by this Court, that this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

741 The American Diamond Rock Boring Company vs Charles Sheldon, John A. Sheldon, Charles K. Sheldon and Charles K. Mason — Appeal from the Circuit Court of the United States for the District of Vermont

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company		Appeal from the Circuit Court of the United States for the District of Vermont.
742	vs. Appellant.	
The Rutland Marble Company.		

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of the Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company. vs. Appellant. Edson P. Gibson, Waldo P. Clement & John P. Woodfin.

Appeal from the Circuit Court of the United States for the District of Vermont.

757

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore in pursuance of the 10th. rule of this Court, now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

The American Diamond Rock Boring Company. vs. Appellant. The Sutherland Falls Marble Company & Canfield Proctor.

Appeal from the Circuit Court of the United States for the District of Vermont.

758

This cause being called for hearing in its regular order, and it appearing to the

Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company.		Appeal from the Circuit Court of the United States for the District of Vermont.
957	vs. Appellant.	
Carlos Sherman and Henry C. Gleason.		

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company.		Appeal from the Circuit Court of the United States for the District of Vermont.
vs.	Appellant.	
Elv g. Hawley & Samuel F. Bruce, survivors etc., of D. L. Kent.		

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company.		Appeal from the Circuit Court of the United States for the District of Vermont.
vs.	Appellant.	
Wyman Kent and John L. Kent.		

This cause being called for hearing in its regular order, and it appearing to the Court

that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company. Appellant.
vs.
962. William W. Kelley.

Appeal from the Circuit Court of the United States for the District of Vermont.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller.

763. The American Diamond Rock Boring Company. vs. Josiah B Hollister. Appeal from the Circuit Court of the United States for the District of Vermont.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

764. The American Diamond Rock Boring Company. vs. J. H. Bradley and William G. Bradley. Appeal from the Circuit Court of the United States for the District of Vermont.

This cause being called for hearing in its regular order, and it appearing to the

Court, that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The American Diamond Rock Boring Company. Appellant.
vs.
The Columbian Marble Company.

No. 1 Appeal from the Circuit Court of the United States for the District of Vermont.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The American Diamond Rock Boring Company.	Appeal from the Circuit Court of the United States for the District of Vermont.
146	vs. Appellant.	
	The Cutler Marble Company.	

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, &c in, thereupon in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

	The Arkansas Valley Land & Cattle Company, Limited	Ordered by the Court that these cases be, & they are hereby, passed until January 2nd 1889
147	vs. Pltf. in Error	
	Jeremiah J. Mann.	
	Sarah Walworth, Executrix &c	
148	Appellant	
	Joseph L. Harris & Co. et al	

	Isaac L. Lyon	Ordered by the
1149.	vs. Appellant	Court that these
	John B. Alley.	cases be, and they
	———	are hereby, pass-
	Herman B. Chapman.	ed until January
150	vs. Pet. in Error	2d. 1859.
	A. H. Barney, President etc.	

	Marie G. Du Bois	Appeal from the
185	vs. Appellants.	Supreme Court
	William W. Boarman and	of the District
	Joseph S. Laurier, Trustees	of Columbia.
	Charles A. Schneider and	
	Martha V. Murray.	

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

James J. Hill
vs. Appellant.
The Chicago & Evanston Railroad Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. E. Walker and Mr. W. G. Vorder in support of the same and Mr. Gordon E. Cole, in opposition thereto.

Proclamation being made the Court is adjourned until Wednesday, January 2d. 1889 at twelve o'clock.

Wednesday, January 2d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Freeman it is ordered that William M. Smith, Esquire, of Memphis, and W. W. Rutledge, Esquire, of Brownsville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Semple it is ordered that

Alex. T. Loudon, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. J. H. Mitchell, it is ordered that James W. Brown, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Sunflower Oil Company	Mr. G. C. Fitch-
1138	vs. Appellant.	ings, of counsel for the
	Benjamin Wilson, Receiver etc.	appellant,
	And	submitted to
	The Sunflower Oil Company,	the consid-
1139	vs. Appellant.	eration of
	Benjamin Wilson, Receiver etc.	the Court

a motion for leave to withdraw the transcript of the record in these cases from the files of the Court for the purpose of correction.

E. H. Reynes, sole surviving assignee etc. ... Appellant.
174. vs.
Frederic Dumont et al.
and
Frederic Dumont et al. ... Appellants
175. vs.
A. M. Gray, Trustee et al.

Mr. Clarence A. Seward, of counsel, suggested a diminution of the record in these causes and submitted to the consideration of the Court a motion for a writ of certiorari. Whereupon, it is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, subject to any exceptions that may be hereafter made.

Josiah Morris. ... Appellant.
1150. vs.
James M. Gilmer.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. H. C. Tompkins, Mr. A. G. Loudon, Mr. O. S. Troy and Mr. S. F. Rice of counsel for the appellant, and Mr. W. A. Gunter and Mr. H. C. Semple, of counsel for the appellee.

103.	The United States vs Appellant. Carrie Jones.	On motion of Mr. Assistant Attorney General Maury It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, January 28th. 1889.

8.	Ex-parte: In the matter of Hollon Parker. Original ——— Petitioner	On motion of Mr. J. A. Mitchell, of counsel for the petitioner, It is ordered by the Court that the time within which to file a return to the rule to show cause issued herein be, and the same is hereby, extended to Monday, January 28th. 1889, per stipulation of counsel.

552	The Chicago, Milwaukee and St. Paul Railway Company vs The Pennsylvania Company. vs. ——— Plffs. in Error. Dennis Lourdeu.	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. Edwin Walker, of counsel for the plaintiffs in error, and a motion by the counsel for the plaintiffs in error to dismiss this cause having been filed, It is, therefore, in pursuance of said motion now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

The Western Air Line Construction Company. vs. Plff. in Error.
William A. McLellis and James Hogan, co-partners &c.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

904.

This cause having been called to the attention of the Court by Mr. Edwin Walker, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

each party to pay its own costs in this Court. ——— per Mr. Chief Justice Fuller.

700 Nathaniel D. Moore et al. vs. Christina Crawford et al. Appellants. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Dan. H. Ball, Mr. John F. Dillon and Mr. Irving D. Hanscom, of counsel for the appellants, and Mr. P. L. Chadbourne and Mr. L. H. Boutell of counsel for the appellees.

1086 Thomas H. Miller et al. Appls. vs. The Texas & Pacific Railway Co. et al.
1246 Martha A. Worrall et al Appls. vs The Texas & Pacific Railway Co. et al.
1247 William Dunlap et al. Appls vs The Texas & Pacific Railway Co. et al.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. G. G. Harris, of counsel for Miller et al: Mr J. W. Maples, of counsel for Worrall et al. and Mr. Laurie Robertson, of counsel for Dunlap et al. and Mr. A. S. Latthrop, of counsel for

The Texas and Pacific Railway Company et al.

1184. Jonathan L. Barlow vs. The United States. Appellant.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, and on the record and printed arguments by Mr. George F. Bontwell, of counsel for the appellant, and Mr. Attorney General Garland, Mr. Assistant Attorney General Howard, and Mr. F. P. Dewees of counsel for the appellee.

1254. P. C. Kimmish vs. Plff. in Error. John J. Ball et al.

This cause was submitted to the consideration of the Court pursuant to the 20th. rule, on the record and printed arguments by Mr. Isaac H. Fleckinger of counsel for the plaintiff in error, and Mr. W. G. Sapp of counsel for the defendants in error.

The Board of County Commissioner of the County of Lake.		This cause was submitted to the consideration of the Court, pursu
1347	vs. Plff. in Error.	
Frank W. Rollins.		

ant to the 20th. rule, on the record and printed arguments by Mr. Daniel C. Parks and Mr. H. B. Johnson, of counsel for the plaintiff in error, and Mr. Richard Miller, of counsel for the defendant in error

Andrew Catlow		This cause was
1408	vs. Plff. in Error.	argued by Mr. John
The People of the Territory of Utah.		H. Mitchell of coun sel for the plain tiff in error and

by Mr. Assistant Attorney General Maury, of counsel for the defendants in error.

The Bate Refrigerating Co.		The argu-
862	vs. Appellant.	ment of this
Geo. H. Hammond and Co.		cause was commenced

by Mr. Clarence A. Seward, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. January 3d, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Lowell it is ordered that H. M. Winslow, Esquire, of Carrollton, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

728. W. H. Coler Jr. Plff. in Error vs. The City of Alburne

This cause was submitted to the consideration of the

Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. W. J. Herndon, of counsel for the plaintiff in error, and Mr. James W. Brown of counsel for the defendant in error.

1179. C. E. Miller et al. Executors &c. vs. C. B. Richards et al. Pffs. in Error. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Maury, of counsel for the plaintiffs in error, and Mr. Stephen G. Clarke, of counsel for the defendants in error.

1265. The Board of County Commissioners of Lake County vs. Benjamin Graham. Pff. in Error. This cause was submitted to the consideration of the Court pursuant to the 20th. rule, on the record and printed arguments by Mr. David E. Parks and Mr. H. B. Johnson, of counsel for the plaintiff

in error, and Mr. Robert E. Foote and Mr. Willard Teller, of counsel for the defendant in error.

Ant Miller.
1422. vs. Pff. in Error.
Ernst Ammow.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record, and printed arguments by Mr. C. C. Cole, of counsel for the plaintiff in error, and Mr. Louis J. Blum, of counsel for the defendant in error.

The Bate Refrigerating Co.
862. vs. Appellant.
Geo. H. Hammond & Co.

On motion of Mr. W. W. Evarts of counsel for the appellant, It is ordered by the Court that counsel on each side be allowed one hour additional for the argument of this cause.

The Bate Refrigerating Co.
862. vs. Appellant.
Geo. H. Hammond & Co.

The argument of this cause was continued

by Mr. Clarence A. Seward, of counsel for the appellants, Mr. George H. Lothrop and Mr. E. P. Thurston, of counsel for the appellees, and Mr. Chauncey Smith, by leave of the Court, in behalf of certain parties at interest.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Embry, it is ordered that Louis E. Phillips, Esquire, of Lansing Iowa, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

209. Francis Adams. Plff. in Error
vs.
The Town of Lansing. } In Error to the Circuit Court of the United States

for the Northern District of New York.

This cause having been called to the attention of the Court by Mr. Clarence A. Seward, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

369 The United States, Appellant, v. Wallace D. Watson. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Garland and Mr. Assistant Attorney General Howard, of counsel for the appellant, and Mr. S. B. Warden and Mr. W. W. Warden, of counsel for the appellee.

749. Adam Badeau. vs. The United States. And The United States. vs. Adam Badeau. Appellant. Appellant.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on the record & printed arguments by Mr. Daniel P. Hays of counsel for Badeau and Mr. Attorney General Garland and Mr. Assistant Attorney General Howard of counsel for The United States.

723. The United States vs. Joseph M. Cumming et al. Appellant

724. Joseph M. Cumming et al. vs. The United States. And Appellants.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Michael Jacobs, Mr. Howard Myers and Mr Edward McAdams of counsel for Cumming et al., and Mr. Attorney General Garland & Mr. Assistant

Attorney General Howard, of counsel for the United States.

767. Robert McKenna et al vs. Appts. in Error. J. Laurence Simpson, Assignee etc. et al. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. William M. Randolph, of counsel for the plaintiffs in error, and Mr. C. W. Metcalf and Mr. L. P. Walker, of counsel for the defendants in error.

863. The Bank of Fort Madison. vs. Appellant. F. M. Alden et al. Executors etc. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Henry Strong and Mr. Theodore Sheldon, of counsel for the appellant, and Mr. John F. Wilson, of counsel for the appellees.

1087. Charles L. Dicklew et al. vs. Plffs. in Error
The Taxing District of Shelby County, Tennessee, et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Henry Craft, of counsel for the plaintiffs in error, and Mr. L. P. Walker of counsel for the defendants in error.

1142. J. W. Morton vs. Plff. in Error
The Board of Commissioners of the Taxing District of the City of Brownsville.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on records and printed arguments by Mr. Spar rel Hill, Mr Henry Craft and Mr. L P. Cooper, of

1145 The Commissioners of the Taxing District of the City of Brownsville vs. Plffs. in Error.
John Logue, Admr. etc.
And
1155 J. W. Morton and Company vs. Plffs. in Error.
The Board of Commissioners of the Taxing District of the City of Brownsville

counsel for Norton, League Admr. &c. and Norton & Co., and Mr. W. W. Rutledge and Mr. William M. Smith, of counsel for the Commissioners of the Paving District of the City of Brownsville.

862. The Bale Refrigerating Co. vs. Appellant. Geo. H. Hammond & Co. The argument of this cause was continued by Mr. Chauncey Smith (by leave of the Court) in behalf of certain parties at interest, and concluded by Mr. William M. Evarts, of counsel for the appellant.

147. The Arkansas Valley Land & Cattle Company, Limited. vs. Plff. in Error. Jeremiah J. Mann. The argument of this cause was commenced by Mr. Hugh Butler, of counsel for the plaintiff in error and continued by Mr. A. G. McNeal, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 7th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that James M. Gregory, Esquire, of St. Paul, State of Minnesota, and Ligourney Butler, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. C. C. Cole, it is ordered that Edward A. Mason, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Douglas Dyrenforth, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Wake, it is ordered that Alfred P. Thom, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Cyrus H. Mc. Cormick and Nettie Fowler Mc. Cormick, Executor and Executrix of Cyrus H. Mc. Cormick, deceased, Leander J. Mc. Cormick and Robert H. Mc. Cormick.

v. Appellants

Peter Whitmer, Administrator of Hugh Graham, deceased.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

108

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill of complaint with costs.

per Mr. Justice Blatchford.

James P. Sargent & John W. Gorham, Administrators of the estate of John H. Gorham, deceased vs. Edwin K. Burgess — Appellants.

127. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court: that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Minneapolis & St. Louis Railway Company vs. Oliver Beckwith. — Pff. in Error.

100. In Error to the Circuit Court of Kossuth County, State of Iowa.

This cause came on to be heard on the

transcript of the record from the Circuit Court of Kossuth County, State of Iowa, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

per Mr. Justice Field.

Stewart B. Shotwell
vs. Plff. in Error.
1030 Samuel A. Moore, Treasurer etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, January 28th. instant, after the case heretofore assigned for that day. per Mr. Chief Justice Fuller.

Thomas C. Chappell
1037 v. Pff. in Error.
John B. Bradshaw.

On consideration of the motion for an order directing the Clerk to issue the mandate in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The City of New Orleans
1104 v. Pff. in Error.
The Louisiana Construction Company, Limited, et al.

On consideration of the motions to dismiss the writ of error or affirm the judgment in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

Frederick W. Bauer, a minor, by his next friend, William Bauer, who sues for the benefit of himself and the said Frederick Bauer, and his mother, Minnie Bauer. vs. Plff. in Error. The Texas and Pacific Railroad Company. — In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

136.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

The Continental Insurance Company of New York. vs. Plff. in Error. David Wright. — In Error to the Circuit Court of the United States for the South-

139.

ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

The Fire Association of Philadelphia. vs. Pltf. in Error. David Wright. — In Error to the Circuit Court of the United States for the Southern District of Illinois.

140

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel.

On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

106 The City of Shreveport vs. Pltf. in Error. R. T. Cole and R. E. Jacobs, Executors of Benjamin Jacobs, deceased, and Joseph B. Smith. In Error to the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and

the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition.

per Mr. Chief Justice Fuller.

Andrew Carrie, Mayor, and R.F. Howell, R.M. McKellar, Fletcher Legardy, Henry Glossbrenner, L.M. Ford, W.F. Buckalew, W.L. Scovell and A.C. Mitchell, Trustees of the City of Shreveport, State of Louisiana, vs. The United States ex rel: R.T. Cole and R.E. Jacobs, Executors of Benjamin Jacobs, deceased, and Joseph B. Smith.

In Error to the Circuit Court of the United States for the Western District of Louisiana.

107. Pltfs. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition.

per Mr. Chief Justice Fuller.

1034 The United States vs. John O. Hall. Plaintiff

Mr. Attorney General Garland of counsel for the plaintiff filed and submitted to the consideration of the Court motions to advance these cases.

1035 The United States vs. George H. Perrin et al. Plaintiff

1036 The United States vs. W. F. Reilly. Plaintiff

Mr. Walter H. Smith opposed the submission of the motions at this time.

779 John S. Kidd vs. J. E. Pearson et al. Plff. in Error

The motion for an order to tax, as part of the costs in this

case, the sum of fifteen hundred dollars as attorneys fees in favor of counsel for the defendants in error, and against the plaintiff in error was submitted to the consideration of the Court on printed arguments by Mr. C. B. Dole in support of the same, & Mr. F. W. Lehmann, in opposition thereto.

1262 William P. Warren et al. vs. Peffs in Error. Joseph B. Brinkley et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard Walke and Mr. Alfred P. Thom, in support of the same, and Mr. W. H. Burroughs in opposition thereto.

1473. John H. Harris vs. Pff. in Error. A. D. Barber. The motions to dismiss the writ of error or affirm the judgment in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Edwards and Mr. Jos Barnard, in support of the same, and Mr.

A. G. Bradley in opposition thereto.

Chae Chan Ping.		Mr. George Hoadly,
146.	vs. Appellant.	of counsel for the
The United States.		appellant submitted
		to the consideration

of the Court a motion to advance this cause.

The Hanover Fire Insurance		The motion
Company of New York et al.		to dismiss
1152.	vs. Plffs. in Error.	in this cause
John Kinnard et al.		was submit-
		ted to the

consideration of the Court on printed arguments by Mr. A. J. Conkling in support of the same, and Mr. Samuel Shellabarger in opposition thereto.

Clarence H. Venner.		Appeal from
783	vs. Appellant.	the Circuit
The Atchison, Topeka & Santa		Court of the
Fé Railroad Company, Cyrus		United States
K. Holliday, E. B. Purcell, L. Sev-		for the District
ery and Edward Wilder		of Kansas.

This cause being called to the attention of the Court by Mr. Ligourey Butler of counsel for the appellee, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

1203. The Pacific Express Co. vs. Saml. Walsh. — Plff. in Error. — Mr. W. Hallett Phillips, of counsel for the defendant in error, moved the Court to grant the Clerk leave to issue the mandate in this cause. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

312. The Philadelphia & Reading Railroad Company vs. Matthias Patent. — Plff. in Error. — In Error to the Court of Common Pleas of the City of Philadelphia.

State of Pennsylvania

This cause having been called to the attention of the Court by Mr. Wm. A. McKenney, on behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

R.G. Wilson, Charles H. Bocher, W.M. Johnston, R.G. Wilson and J.M. Johnston, partners under the firm name and style of R.G. Wilson and Company. Plffs. in Error. vs. B.L. Harding, Joseph Gafford, Henry Strivers and John Ledgerwood.

In Error to the Circuit Court of the United States for the South ern Dist of Iowa.

392.

This cause having been called to the attention of the Court by Mr. Wm. A. McKenney

on behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore on pursuance of said stipulation, now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

181 Benjamin Richardson et al. Appts vs. Ashbel Green et al. Trustees
947 Thomas W. Nelson & Co. Appts. vs. Ashbel Green et al. Trustees
1027 Thomas W. Nelson, Appt. vs. Ashbel Green et al. Trustees.
1044 Daniel E. Sickles et al. Appts. vs. Ashbel Green et al. Trustees

On motion for an order directing the Clerk to deliver a printed copy of the transcript of record in these cases Nos. 947 and 1027, without dispensing their share of the cost of printing the transcript and of clerk's fees, was argued by Mr. William D. McKenney, in support of the same, and Mr. Duane E. Cox in opposition thereto.

1370 Brigido Bottiller et al. vs. Dominga Dominguez. Pffs. in Error

This cause was submitted to the consideration of the Court, pursuant to

the 20th. rule, on the record and printed arguments by Mr. J. M. Mitchell of counsel for the plaintiff in error, and Mr. A. L. Rhodes, of counsel for the defendant in error.

211. Lizzie Buxton et al. vs. Pefft. in Error. Hattie L. Travers et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. L. Rhodes, Mr. A. C. Brittow and Mr. A. B. Browne, in support of the same, and on motion of Mr. Douglas Dyrenforth leave was granted counsel for the plaintiffs in error to file a printed brief, in opposition to the motion within ten days.

147. The Arkansas Valley Land & Cattle Company, Limited. vs. Pefft. in Error. Jeremiah J. Mann. The argument of this cause was continued by Mr. R. T. McNeal, of counsel for the defendant in error and con-

cluded by Mr. William A. Maury of counsel for the plaintiff in error.

Sarah Walworth, Executrix. et al. vs. Joseph L. Harris Exr &c. et al. Appellants

148. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Whitaker and Mr. D. H. Reynolds, of counsel for the appellants and Mr. Thomas J. Semmes and Mr. G. W. Compton of counsel for the appellees.

Isaac L. Lyon. vs. John C. Alley. Appellant.

149. The argument of this cause was commenced by Mr. Henry E. Davis of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, January 8th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1199. Margaret Ruckman vs. Jonathan Cory. Appellant. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. William M. Springer of counsel for the appellant and Mr. John M. Palmer of counsel for the appellee.

	Charles L. Butler & W. G. T. Hayden, copartners as Butler, Hayden & Company.	Mr. Henry L. Davis in behalf of counsel for the plaintiffs in error, suggested the
341	vs. Plffs. in Error.	
	Richard Cunningham & Henry Colman Jr., Assignees etc.	

death of W. G. T. Hayden and Charles L. Butler, the plaintiffs in error in this cause and moved the Court to make Benjamin E. Cole, Leander Beal and Elizabeth H. Butler, Executors of the said Charles L. Butler, the parties plaintiffs in error herein. Whereupon it is now here ordered by the Court that the said Benjamin E. Cole, Leander Beal and Elizabeth H. Butler, Executors of Charles L. Butler, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

	W. W. Quinby et al.	Mr. B. F. Butler submitted to the
121	vs. Plffs. in Error.	
	J. Scott Boyd Jr. et al.	consideration of

the Court a motion for leave to argue orally a motion to rescind

the judgment of dismissal entered herein.

Isaac S. Lyon
49. vs. Appellant.
John B. Alley.

This appeal & this cause was continued by Mr. H. M. Wells of counsel for the appellee, and concluded by Mr. Henry E. Laws of counsel for the appellant.

Herman B. Chapman.
50. vs. Pff. in Error.
Asabel H. Barney. President of the U.S. Express Company.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. R. T. Mc. Neal. of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Parley's Park Silver Mining Company.
154. vs. Appellant.
John W. Kerr.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. G. Sutherland and Mr. J. R.

Mr. Bride of counsel for the appellant and Mr. C. W. Bennett of counsel for the appellee.

Samuel C. Schaffer		Appeal from the
155.	vs. Appellant.	Circuit Court of the
Bishop Goodrich and		United States for
Mary Goodrich.		the Western Dis-
		trict of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

John H. Davey and Frank		Appeal from
J. Davey.		the Supreme
156.	vs. Appellants	Court of the
Michael Duggan, John Dixon,		Territory of
David Egan & The Richmond		Dakota.
Silver Mining Company.		

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Hollon Parker.
157 vs. Appellant.
George Dacres et al.

On motion of Mr. John H. Mitchell, of counsel for the appellant,
It is ordered by the Court that this cause be passed subject to the provisions of section 9, rule 26.

Hollon Parker.
158. vs. Appellant.
Elizabeth Penny, Executrix of Timothy P. Penny, deceased.

Appeal from the Supreme Court of the Territory of Washington.

This cause having been called for hearing in its regular order and Mr. John H. Mitchell

of counsel for the appellant, having moved the Court to dismiss this cause, It is, Therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Gallmadge E. Brown. Appellant.
v.
The District of Columbia.

137

The argument of this cause was commenced by Mr A. S. Worthington of counsel for the appellant, and continued by Mr. Henry E. Davis, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January 9th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright. Esquire, Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. J. E. Maynadier it is ordered that Edward W. Hutchins Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

137. Dallmadge E. Brown vs. The District of Columbia. Appellant. The argument of this cause was concluded by Mr. A. A. Cole of counsel for the appellant.

159. The Insurance Company of North America vs. James L. Guardiola et al. Plff. in Error. This cause was argued by Mr. John L. Cadwalader, of counsel for the plaintiff in error and Mr. W. W. Goodrich and Mr. George F. Edmunds of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. January 10th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright. Esquire. Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Gray it is ordered that A. Nathan Williams. Esquire of Bath. State of Maine. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Adolph. it is ordered that

Nathan O. Simon, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury, it is ordered that Edward Livingston Price, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dalzell, it is ordered that James H. Reed, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel R. B. Matthews, Richard Wood, Edward R. Wood, George Wood, Israel H. Johnson, Administrator of Randolph Wood, deceased, and Walter Wood.

Appellants.

v.

Appeal from the Circuit Court of the United States for the Eastern

George Flower & Thomas Flower Executors of James Flower, decd. Thomas Flower and George Flower — District of Michigan.

This cause having been called to the attention of the Court by Mr. George L. Roberts, of counsel for the appellants, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation now here, ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Samuel R. C. Matthews et al. vs. George Flower et al. Executors etc. — Appellants

314. On motion of Mr. George L. Roberts of counsel for the appellants. leave is hereby granted the Clerk to issue the mandate in this cause.

The United States ex rel: Mary Elizabeth Levey etc. vs. S. W. Stockslager, Commissioner of the General Land Office.	Pff. in Error.	Mr. Walter H. Smith of counsel for the plaintiff in error, filed and submitted to the

1481.

consideration of the Court a motion to advance this cause.

William B. Davis vs. The State of South Carolina.	Pff. in Error.	In Error to the Supreme Court of the State of South Carolina.

161.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William W. Wade
163 vs. Appellant.
Henry B. McCoy et al.

This cause was argued by Mr. George P. Bellis, of counsel for the appellant and Mr. Edward W. Hutchins of counsel for the appellees.

The Collins Company.
164 vs. Appellant.
Long Dock Co Company.

The argument of this cause was commenced by Mr. W. E. Simonds, of counsel for the appellant, and continued by Mr. George L. Roberts, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 11th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Allan T. Brinsmade, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered

that S. D. Halliday, Esquire, of Ithaca, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States: ex rel.
Mary Elizabeth Levy &c
1481 vs. Plff. in Error.
S. M. Stockslager, Commissioner &c.

On consideration of the motion to advance this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Thursday, January 24th. inst. next.

The Collins Company.
164 vs. Appellant.
Loring Coes Mfg Company.

The argument of this cause was continued by Mr. George L. Roberts of counsel for the appellee, and concluded by Mr. W. E. Simonds, of counsel for the appellant.

The Worley Lumber Machine Company et al.

v.

Charles B. Lancaster.

Appellants

This cause was argued by Mr. B. F. Thurston of counsel for the appellants, and Mr. George E. Smith and Mr. J. E. Mayfield, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. January 14th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar

John W. Wright. Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that Frank B. Kellogg, Esquire, of St. Paul, State of Minnesota. Bartlett Tripp. Esquire of Yankton, and James Spencer. Esquire of Huron, Territory of Dakota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Nathan Bijur, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Mason it is ordered that Frederic T. Barnum, Esquire, of Brewster, Putnam County, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. O. Burns it is ordered that Stephen S. Brown, Esquire, of St. Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John A Wallace. Appellant.
vs. Appeal from the
Edward Johnstone, A. L. Cou- Circuit Court of
nable and B. F. Davis. the United States
for the Southern

94

District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Sylvester C. Noble, Plff. in Error, vs. De Forest Hammond, survivor of the late firm of Hammond and Burt. In Error to the Supreme Court of the State of Vermont.

No. 1[illegible].

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the

said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with an instruction to grant a new trial, and to take such further proceedings as may not be inconsistent with the opinion of this Court. per Mr. Justice Lamar.

Robert H. Anderson
135. vs. Appellant.
Henry D. Miller and William Mitchell, partners under the firm-name of H. D. Miller & Co.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

George W. Farnsworth		In Error to the
35	vs. Plff. in Error.	Supreme Court
The Territory of Montana.		of the Territory
		of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Justice Blatchford

William Baldwin		In Error to the
1154	vs. Plff. in Error.	Supreme Court
The State of Kansas.		of the State of
		Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Harlan.

122 Nathan Rosenwasser and Jennie A. Spiella vs. John Berry. Appeals from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Gray.

Davis Tillson and William C. Kingsley, copartners, trading under the style of The Hurricane Island Granite Company. Appellants
127 vs.
The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

Johnson N. Camden Appellants.
80. vs.
C. L. B. Wayland & Company et al. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West

Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs per Mr. Justice Harlan.

Nick E. Arrowsmith
139. vs. Appellant
Edward A. Gleason, Amelia G. Harmening, individually and as administratrix of John G. Harmening, deceased and Lydia M. Harmening et al by Henry B. Harris, guardian ad litem.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be,

and the same is hereby, remanded to the said Circuit Court with direction to overrule the demurrers, and for further proceedings consistent with the opinion of this Court. per Mr. Justice Harlan

Frank M. Dent. Pff. in Error
vs. In Error to the Supreme
119 The State of West Virginia Court of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field

779 John L. Kidd vs. J. E. Pearson et al. Pff. in Error. On consideration of the motion for an order to tax as part of the costs in this suit the sum of $1500.00 as attorney's fees in favor of counsel for defendants in error and against the plaintiff in error, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

181 Benjamin Richardson et al. Appts vs. Ashbel Green et al. Trustees
947 Thomas M. Nelson & Co. Appts. vs. " " " " "
1027 Thomas M. Nelson. Appellant vs. " " " " " "
1074 David E. Sickles et al. Appts. vs. " " " " " "

On consideration of the motion for an order directing the Clerk to deliver printed copies of the record in these cases to the counsel for the appellants in cases Nos. 947 and 1027. It is now here ordered by the Court, that the Clerk be, and he is hereby, directed upon receipt of the sum of $1450.00 from the appel-

Cants in cases Nos. 947 and 1027. to deliver to their counsel two copies of the printed record in these cases

per Mr. Chief Justice Fuller.

The Pacific Express Company
vs. Pff. in Error.
Sam. Walin.

On consideration of the motion to grant the Clerk leave to issue the mandate in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

1209

Chae Chan Ping.
vs. Appellant.
The United States.

1446

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday in March next.

per Mr. Chief Justice Fuller

W. H. Lumley et al. On consideration of
121 v. Aff. in Error. the motion to rescind
J. Scott Boyd Jr. et al. the judgment of dis-
missal entered here-
in and for leave to argue that motion orally.
It is now here ordered by the Court that
said motion be, and the same is hereby, de-
nied. per Mr. Chief Justice Fuller.

The Sunflower Oil Company On consideration
1138 v. Appellant. of the motion for
Benjamin Wilson, Receiver etc. leave to withdraw
and the transcript
The Sunflower Oil Company. of the record in
1139 v. Appellant these cases from
Benjamin Wilson, Receiver etc. the files of the
Court for the
purpose of correction. It is now here ordered
by the Court that said motion be, and the
same is hereby denied.
per Mr. Chief Justice Fuller.

William H. Inman, John H. Inman, James Swann, Bernard S. Clark and Robert W. Inman, copartners under the firm of Inman, Swann and Company. — In Error to the Circuit Court of the United States for the District of South Carolina.

86. W. — Plffs. in Error.

The South Carolina Railway Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Chief Justice Fuller

Walter H. Stoutenburgh, Superintendent of the Washington Asylum.		In Error to the Supreme Court of the District of Columbia.
722.	vs.	Pff. in Error.
William J. Hemick.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Miller.

The Chief Justice announced that the Court would adjourn on Monday, February 4th until Monday March 4th

38. John L. Prouty vs Plff. in Error The Lake Shore & Michigan Southern Railway Company. Mr. Lucien Birdseye, of counsel for the plaintiff in Error submitted to the consideration of the Court a suggestion of the diminution of the record and a motion for a writ of certiorari in this cause, and leave was granted counsel for the defendant in error to file a printed argument in opposition thereto on or before Friday the 18th. instant.

851 of O.D. 1886. William L. Royall vs Plff. in Error. The State of Virginia. The motion that this Court issue an execution for the costs of the plaintiff in error in this cause was submitted to the consideration of the Court on printed arguments by Mr. William L. Royall, in support of the same, and Mr. R. A. Ayers in opposition thereto.

1458. Joseph Bryan, Aff. in Error vs. The State of Virginia
1459. J. P. Cooper. " " " " " " " " " "
1460. John Mc. Gahey. " " " " " " " " " "
1461. H. W. Ellett. " " " " " " " " " "

The motion to advance these cases and assign them for argument with case No. 223 on the docket of the present term was submitted to the consideration of the Court by Mr. W. L. Royall, in support of the same, and Mr. R. A. Ayers in opposition thereto.

Catharine A. Metcalfe et al. vs. The Steamship "Alaska". Mc William Pearce, claimant. Appellants

1217

Mr. George Bellune, of counsel for the appellee suggested the death of William Pearce, the appellee in this cause and moved the Court to make Lady D. E. Pearce, Sir William George Pearce, James Robertson and Richard Barnwell, Executors of the said William Pearce, the parties appellee herein. Whereupon, It is now here ordered by the Court that the said Lady D. E. Pearce, Sir William George Pearce, James Robertson and

Richard Barnwell, Executor of William Pearce, deceased, be, and they are hereby made the parties appellee in this cause.

Frank Ely
1133 vs. Appellant
The New Mexico & Arizona Railroad Company et al.

This cause was submitted to the consideration of the Court pursuant to the 20th. rule, on the record & printed arguments by Mr. Rochester Ford, of counsel for the appellant, and Mr. Thomas Mitchell and Mr. B. H. Hereford of counsel for the appellees.

George R. Farmer, Assignee of Francis M. Lightbitzer.
11485. vs. Aff. in Error.
Walter H. Cobban.

Mr. I. I. Burdell, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"In the Supreme Court of Dakota Territory."

I, J. H. C. Young, Clerk of the Supreme Court of the Territory of Dakota, do hereby

by certify that in a certain cause pending in said Court wherein George R. Garner, Assignee of Francis M. Lighthizer, was plaintiff and respondent and Walter H. Cobban was defendant and appellant, a final judgment was rendered by said Supreme Court on the 25 day of May A.D. 1886, in favor of said defendant and appellant and against the said plaintiff and respondent, and that on the 18th day of November A.D. 1886, said George R. Garner, assignee of Francis M. Lighthizer plaintiff and respondent sued out a writ of error to said Supreme Court directed to remove said cause to the Supreme Court of the United States as appears by the records of said Supreme Court of the Territory of Dakota.

In testimony whereof I have hereunto subscribed my name and

(Seal) affixed the seal of said Supreme Court at Yankton this 27th day of December. A.D. 1888.

J. H. C. Young
Clerk of the Supreme Court of the Territory of Dakota."

moved the Court to docket and dismiss

this cause pursuant to the 9th. rule: and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now hereordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Territory of Dakota be, and the same is hereby, docketed & dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

George R. Farmer Assignee &c
vs.
Walter H. Tobbein.

1485. Plff. in Error.

On motion of Mr J. J. Burditt of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Mary Wall.
506 vs. Appellant.
The District of Columbia.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Henry E. Davis in support of the same and Mr. J. W. Douglass in opposition thereto.

The National Security Bank
166. vs. Pff. in Error.
Peter Butler, Receiver &c.

The argument of this cause was commenced by Mr. Russell Gray of counsel for the plaintiff in error, continued by Mr A. A. Ramey, of counsel for the defendant in error and concluded by Mr. J. C. Coombs, of counsel for the plaintiff in error.

John M Davis et al
1279 vs. Pffs. in Error
Charles E. Miller et al. Exrs. &c.

The argument of this cause was commenced by Mr. Stephen G. Clarke of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 15th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford
Lucius L. P. Lamar
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

11486. Hollow Parker. vs. Appellants. Elizabeth Denny, as Executrix of the last will of Timothy P. Denny, deceased.

Wm. James H. Hoffecker Jr. of counsel for the appellee, having filed in open Court the following certificate, to wit:

"In the Supreme Court of Washington Territory holding terms at Olympia.

Hollon Parker.
vs. Appellant.
Elizabeth Denny, as Executrix of the last will of Timothy P. Denny, deceased.
Appellee.

I, Francis Henry, Clerk of the Supreme Court of Washington Territory do hereby certify that in a certain cause pending in said Court wherein Hollon Parker was appellant, and Elizabeth Denny as Executrix of the last will of Timothy P. Denny, deceased, was appellee a final decree was rendered by said Supreme Court on the fourteenth day of August A.D. 1888 in favor of said appellee and against said appellant, and that on the said 14th. day of August A.D. 1888 said appellant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribed my name and affix the seal of said Supreme Court at Olympia aforesaid this 27th

(Seal)

day of December A.D. 1888.

Francis Henry,

Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th. rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Washington, be, and the same is hereby docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

John W. Davies, et al.

1279. vs. Pffs. in Error.

Charles E. Miller et al Executors &c

The argument of this cause was continued

by Mr. Stephen G. Clarke, of counsel for the plaintiffs in error, and Mr. Solicitor General

Jenks, of counsel for the defendants in error, and concluded by Mr. Clarke for the plaintiffs in error.

William H Robertson, Collector &c Pltff. in Error
vs
Edmund Perkins et al. Executors &c

The argument of this cause was commenced by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and continued by Mr. J. Langdon Ward, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Wednesday, January 16th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that John J. Crawford, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William H. Robertson, Collector &c. vs. Peff. in Error.
672. Lawrence Perkins et al. Executors &c. vs.

The argument of this cause was continued by Mr. J. Langdon Ward of counsel for the defendants in error, and concluded by Mr. Solicitor General Jenks of counsel for the plaintiff in error.

William H. Robertson, Collector &c. vs. Peff. in Error.
1446. Louis A. Salomon et al. vs.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error, and Mr. Joseph H. Choate of counsel for the defendants in error.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al. vs. Appellants.
1423. The United States

On motion of Mr James O. Broadhead of counsel for the appellants. It is ordered by the Court that counsel on

And

George Romney et al. vs. Appellants.
1457. The United States

each side in these cases be allowed two hours additional time in the argument.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al
v. Appellants.
The United States.
And
George Romney et al
v. Appellants
The United States.

1423
1457

The argument of these cases was commenced by Mr. James O. Broadhead of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 17th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al. Appellants
1423. vs
The United States

And

George Romney et al. Appellants
1457. vs
The United States.

The argument of these cases was continued by Mr. James O. Broadhead of counsel for the appellants and Mr. Solicitor General

Jenks, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. January 18th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that James M. Martin, Esquire, of New Castle, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Sam'l Fro Smith it is ordered

that William P. L. Wilcox, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Ward it is ordered that Oliver B. Dickinson, Esquire, of Chester, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. G. G. Lowthrop Jr. it is ordered that Charles G. Van Horn, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al.
1423 vs. Appellants
The United States
and
George Romney et al.
1457 vs. Appellants.
The United States.

The argument of these cases was continued by Mr. Solicitor General Jenks, of counsel for the appellee and concluded by Mr. Joseph E. McDonald, of counsel for the appellants.

John Bèné et al
167 vs. Appellants
Emile Jeantott.

This cause was argued by Mr. Sam'l Shellabarger of counsel for the appellants and Mr. William P. S. Mellon, of counsel for the appellee.

Kate W. Goodwin et al.
168 vs. Appellants.
Eleanor Fox et al.

The argument of this cause was commenced by Mr. Charles H. Wood, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. January. 21st. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford

John M Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland, it is ordered that William C. Lucas, Esquire, of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Collins it is ordered

that John W. Corcoran. Esquire. of Clinton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that William H. Malone, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Martin it is ordered that J. H. Baldwin. Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Herford it is ordered that Frederick A Tritle. Esquire. of Prescott, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Gate Refrigerating Company
862 vs.
George H. Hammond & Company.

Appellant.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to take such further proceedings as shall be in accordance with law and with the stipulation between the parties and not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

866 James J. Hill ..... On consideration
vs Appellant of the motions to
The Chicago & Evanston dismiss the appeals
Railroad Company et al. in this cause & of
the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the motion to dismiss the appeal from the decree of June 8, 1885 be, and the same are hereby granted: and that the motion to dismiss the appeal from the decree of July 14, 1887. be, and the same are hereby, denied. per Mr. Justice Blatchford.

163 William W. Wade. Appeal from the Circuit Court of the United States for the District of Massachusetts.
vs. Appellant.
Henry B. Metcalf and
William Mc. Cleery.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts. and was argued by counsel On consideration whereof, It is now here ordered,

adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

William G Galigher
vs.
Thomas R. Jones.

75. Appellant.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a judgment in conformity with the opinion of this Court.

per Mr. Justice Bradley.

130.	James M. Seibert, Collector of Cape Girardeau County, Missouri. vs. The United States ex rel. George W. Harshman.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

4.	Ex parte: In the matter of The Farmers Loan and Trust Company. Original.	On petition for a writ of mandamus. Petitioner

On consideration of the petition for a writ of mandamus and the return to the rule

to show cause issued thereon, and of the argument of counsel thereupon had, as well in support as against the said petition, It is now here ordered by the Court that the writ of mandamus as prayed in said petition be, and the same is hereby awarded, commanding the Judge of the Circuit Court of the United States for the Northern District of Texas to allow the appeal prayed for by the petitioner, The Farmers Loan and Trust Company, in the case of Morgan's Louisiana and Texas Railroad and Steamship Company vs. The Texas Central Railroad Company, and to approve a good and sufficient bond, on such appeal which shall operate as a supersedeas.

per Mr. Justice Miller.

Mr. Justice Bradley concurred in the judgment for reasons orally stated by him

	Charles Probst.	In Error to
113	vs. Plff. in Error.	the Supreme
	The Trustees of the Board of	Court of the
	Domestic Missions of the General	Territory of
	Assembly of the Presbyterian Church	New Mexico.
	in the United States of America.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with a direction to award a new trial. per Mr. Justice Miller.

	John L. Prouty	On consideration
38.	vs. Plff. in Error	of the suggestion
	The Lake Shore and Michigan	of a diminution
	Southern Railway Company.	of the record and
		motion for a

writ of certiorari in this cause, and of the

argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

William L. Royall. Pff. in Error
1351 of O.D. 1886 — vs — } On consideration of the motion that this Court
The State of Virginia. } issue an execution for the costs of the plaintiff in error in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1458. Joseph Bryan, Pff. in Error vs. The State of Virginia.
1459. J. S. Cooper, " " " " " " " " "
1460. John Mc. Gahey, " " " " " " " " "
1461. H. W. Ellett, " " " " " " " " "

On consideration of the motion to advance these cases and assign them for argu-

ment with case No. 223 on the docket for the present term, It is now here ordered by the Court that the above entitled cases be, and they are hereby, advanced and assigned for argument on the second Monday of the next term with the case of Dashiell vs. Grosvenor, Treasurer etc. No. 223 on the docket for the present term, which is hereby continued to be heard on that day.

per Mr. Chief Justice Fuller.

Mary Wall
506 vs. Appellant
The District of Columbia.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on a motion to dismiss which was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

Lizzie Burlow et al. vs. Plffs. in Error. Hattie L. Travers et al. — It is ordered by the Court that the motion to dismiss herein be, and the same is hereby, continued for hearing with the case on its merits

per Mr. Chief Justice Fuller.

1034. The United States, Plff. vs. John D. Hall.
1035. " " " " " " - George H. Perrin et al.
1036. " " " " " " - W. G. Reilly

On consideration of the motions to advance these cases, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby denied.

per Mr. Chief Justice Fuller.

James M. Seibert, Collector of Cape Girardeau County, Missouri vs. Plff. in Error. The United States, ex rel. Valentine Winter. — In Error to the Circuit Court of the United States

for the Eastern District of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1122. Asst Miller vs. Aff. in Error Ernst Ammon. It is ordered by the Court that the submission of this cause be, and the same is hereby, set aside, and the cause restored to its place on the docket for oral argument, when reached in the regular call of the docket.

per Mr. Chief Justice Fuller.

The Hanover Fire Insurance Company of New York vs The Citizens Fire Insurance Company of New York.		In Error to the Circuit Court of the United States for the District of Kansas.
1152.	vs. Plffs. in Error.	
John Kinnaird, W. H. Williams and S. M. Phillips.		

The cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas. And on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Taney.

William C. Warren, Exr Mary Warren, his wife, Geo. B. West and Missouri Smith.		In Error to the Supreme Court of Appeals of the State of Virginia.
1162.	vs Plffs. in Error.	
Joseph B. Brinkley, John L. Peck, John B. Whitehead et al.		

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Jonathan L. Barlow. Appeal from the
1184 vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

325. The Cherokee Nation vs. Appellant. The Southern Kansas Railway Company. Mr. J. E. McDonald of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause

1345. Arthur W. Windett vs. Appellant The Union Mutual Life Insurance Company. Mr. W. C. Goudy of counsel for the appellant, submitted to the consideration of the Court a motion for a citation to the appellee in this cause.

325 of O.S. 1887. The Western Union Telegraph Co. vs. Appellant The Attorney General of the Commonwealth of Massachusetts. Mr. H. C. Blue of counsel for the appellee, submitted to the consideration of the Court a motion to construe the decree entered herein by the Court

Kutsuwan County
1076 vs. Appellants.
Charles S. Wallace et al

Mr. J. H. Baldwin, of counsel for the appellees, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

181. Benjamin Richardson et al. Appts. vs Asbel Green et al. Trustees
947. Thomas W. Nelson et al. " " " " " " " "
1027. Thomas W. Nelson, Appt. " " " " " " " "
1074. Daniel E. Sickles et al. Appts. " " " " " " " "

Mr. J. Hubley Ashton, of counsel, submitted to the consideration of the Court a motion to postpone the hearing of these cases on their merits until the motions to dismiss filed herein shall be disposed of.

Hallett Kilbourn et al.
188. vs Appellants
Thomas Sunderland et al.
Thomas Sunderland et al
261 vs. Appellants
Hallett Kilbourn et al
And

Mr. W. F. Norris, of counsel suggested the death of Thomas Sunderland, one of the parties in these cases and moved the Court to make Mary A

Monday, January 21st. 1889. Continued.

Thomas Sunderland
262 vs. Appellant
Hallett Kilbourn et al.

Sunderland Executrix of the said Thomas Sunderland, a party in his place whereupon it is now here ordered by the Court that the said Mary A Sunderland, Executrix of Thomas Sunderland, deceased, be, and she is hereby, made a party in these causes in place of the said Thomas Sunderland.

State W. Goodwin et al.
168 vs. Appellants
Eleanor Fox et al.

The argument of this cause was continued by Mr. Charles H. Wood of counsel for the appellants, and Mr. W B Grady, of counsel for the appellees, and concluded by Mr Wood, for the appellants.

Peter L. Kimberly.
169 vs. Appellant
Charles D. Arms et al.

The argument of this cause was commenced by Hon. Samuel Shellabarger of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 22d 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F Edmunds it is ordered that John E. Moore, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Statesman County
976. vs. Appellant.
Charles L. Wallace et al.

On consideration of the suggestion of a diminution of the record and a motion for a writ of certiorari in this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller

Eugenia Richardson et al. Appts vs Asbel Green et al Trustees
947. Thomas W. Nelson et al. " " " " " " " " " "
1027. Thomas W. Nelson. Appt. " " " " " " " " "
974. Daniel E. Sickles et al. Appts. " " " " " " " "

On consideration of the motion to postpone the hearing of these cases on their merits until the disposition of the motion to dismiss filed herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Clarence P. Hunt
16 vs. Appellant.
Sallie L. Blackburn et al.

Mr. W. L. Clippen, of counsel for the appellant submit-

ted to the consideration of the Court a motion for such order as to the Court may seem right in regard to making the heirs and representatives of Sallie S. Blackburn, deceased, parties appellees in this cause.

The Trustees of Dublin Township, Mercer County, Ohio.		On motion of
943.	vs. Plffs. in Error.	Mr. C. H. Grosvenor in behalf
The Milford Five Cent Savings Institution		of counsel for the defendant in error, leave

is hereby granted the Clerk to issue the mandate in this cause.

John Glenn, Trustee etc.		Mr. Henry Wise Garnett, in behalf of
590.	vs. Plff. in Error.	counsel for the plaintiff in error, sug-
Charles Daussig & Morris Daussig.		gested the death of

Charles Daussig and Morris Daussig, the defendants in error in this cause, and moved the Court for an order under the 15th. rule to make the proper representatives parties, Whereupon, It is now here ordered by the Court that

unless the proper representatives of the said Charles Daussig and Morris Daussig, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the plaintiff in error shall be entitled to open the record, and, on hearing, have the judgment reversed, if it be erroneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of Missouri, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

342. L. W. Young et al. vs. E. B. Knight, Administrator of Milton Parker, deceased. Appellants

Mr. W. H. Lamar in behalf of counsel for appellants suggested the resignation of E. B. Knight as Administrator of Milton Parker, deceased, the appellee in this cause, and moved the Court for an order, under the 15th. rule, to make the proper representatives of the said Milton Parker, deceased, parties

Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Milton Parker, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and, on hearing, have the decree reversed, if it be erroneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of West Virginia, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

L.H. Young et al. Appellants
342 vs.
E.S. Knight, Administrator etc.

Mr. W.K. Lamar in behalf of counsel for the appellants, suggested a diminution of the record and moved for a writ of certiorari in this cause. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, granted as prayed.

169. Peter L. Kimberly vs. Charles D. Arms et al — Appellant.

The argument of this cause was continued by Mr. Samuel Shellabarger, of counsel for the appellant, and Mr. Thomas W. Sanderson and Mr. Stevenson Burke, of counsel for the appellees, and concluded by Mr. A. W. Jones of counsel for the appellant.

171. The Chicago & Eastern Illinois Railroad Company vs. Abel Dennison. — Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The Chicago & Eastern Illinois Railroad Company.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
172.	vs. Appellant	
Joseph D. Sauger.		

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Eastern Railroad Co.		The argument of the cause was commenced by Mr. A. J. Ward of counsel for the appellant.
184.	vs. Appellant.	
The United States.		

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January 23d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Henry P. Brewster, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Conrad Kahler	Appeal from the Circuit
237	vs. Appellant	Court of the United States
	Richard M. Hoe and	for the Southern Dis-
	Stephen D. Tucker	trict of New York.

This cause being called to the attention of the Court by Mr. B. F. Lee, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed.

per Mr. Justice Field.

	The Eastern Railroad Co.	The argument of
134	vs. Appellant.	this cause was con-
	The United States.	tinued by Mr. A.
		J. Willard, of coun-

sel for the appellant, and Mr. Assistant Attorney General Howard, of counsel for the appellee, and concluded by Mr. Willard for the appellant.

73.	Lydia Bacon, David Bacon et al. vs. The Northwestern Mutual Life Insurance Company.	Pffs. in Error.	Mr. John E. Moore, of counsel for the defendant in error, pre-

sented a stipulation of counsel suggesting the death of Lydia Bacon, one of the plaintiffs in error in this cause, and agreeing that the case proceed in the names of the surviving plaintiffs in error, and moved the Court to enter an order to that effect. Whereupon, It is now here ordered by the Court that this cause proceed in the names of David Bacon, Edmund H. Bacon and John T. Mordaunt, as surviving plaintiffs in error.

73.	David Bacon et al vs. The Northwestern Mutual Life Insurance Company.	Pffs in Error.	This cause was argued by Mr. John E. Moore of counsel for the defendants in

error, and submitted on a printed argument by Mr. Edward Bacon of counsel for the plaintiffs in error.

	E.H. Reynes, sole surviving assignee &c.	The argument of this case was commenced by Mr. John E. Parsons of counsel for Reynes, Assignee &c. and continued by Mr James C. Carter, of counsel for Fry, Trustee &c.
174	vs. Appellants	
	Frederick Dumont et al.	
	And	
	Frederick Dumont et al	
175	vs. Appellants	
	Charles M. Fry, Trustee, et al.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. January 24th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John W. Wright. Esquire. Marshal
James H. Mc. Kenney. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. B. Plumb it is ordered that E. G. Ware. and W. C. Perry. Esquires. of Fort Scott. State of Kansas. be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Walter H. Smith it is ordered that John W. Taylor, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

297 The City of Evansville vs. Peff. in Error. William H. Morrow. In Error to the Circuit Court of the United States for the District of Indiana.

This cause having been called to the attention of the Court by Mr. Walter H. Smith, on behalf of counsel, and a stipulation to dismiss this cause having been filed, it is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

174 E. H. Haynes, sole surviving assignee &c. Appellant. vs. Frederick Dumont et al. The argument of this cause was com-

And

Frederick Dumont et al. vs. Appellants. Charles M. Dry, Trustee et al.

175

Argued by Mr. James T. Carter and Mr John M. Bowie of counsel for Dry, Trustee and concluded by Mr. Frederic A. Goodrich of counsel for Dumont et al.

The U. S. ex rel: Mary Elizabeth Levy etc. vs. Plff. in Error. J. M. Stockstagen, Commissioner &c. –

1781

The argument of this cause was commenced by Mr. Walter S. Smith of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 25th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Sparrow, it is ordered that John H. Quarles, Esquire, of Racine, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

297. The City of Evansville vs. William H. Moulton. Pff. in Error. On motion of Mr. Walter H. Smith, in behalf of com-

sel. leave is hereby granted the Clerk to issue the mandate in this cause.

The U. S. ex. rel: Mary Elizabeth Levey etc
vs. } Pff. in Error
J. M. Stockslager. Commissioner etc.

The argument of this cause was continued by Mr. Walter H. Smith of counsel for the plaintiff in error and Mr. Asher G. Hay of counsel for the defendant in error. and concluded by Mr. A.B. Browne. of counsel for plaintiff in error.

-81-

John Lynnett & J. M. Burkett. Administrators etc.
vs. } Appellants
Michael Shaughnessy

This cause was submitted to the consideration of the Court

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on the record and a printed argument by Mr. J. G. Sutherland and Mr. J. R. McBride of counsel for the appellants. No counsel appeared for the appellee.

R. S. Grant.
177 vs. Appellant.
The Central Trust Company of New York et al.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

George W. Peters
65 vs. Appellant.
The Acme Manufacturing Co

This cause was argued by Mr. Benjamin Butterworth of counsel for the appellant and Mr Arthur Stem of counsel for the appellee.

George W. Peters
66 vs. Appellant.
Julius A. Mansur et al.

The argument of this cause was commenced

by Mr. William Hubbell Fisher of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday. January 28th. 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by the Assistant Attorney General Maury it is ordered that Frank McClure. Esquire. of Jersey City. State of New Jersey: and William Cunnington Coler. Esquire. of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. McDonald, it is ordered that W. B. Hamb Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Wilkinson Call, it is ordered that John C. Cooper Esquire of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks, it is ordered that Charles L. Lamberton, Esquire of New York City, and William Walker, Esquire of Ohio, State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr A. E. Stevenson, it is ordered

ed that R. H. Brown, Esquire, of Huron, Territory of Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. D. Barrett it is ordered that Constant A. Marks, Esquire, of Sioux City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that Thomas H. Carter Esquire, of Helena, Territory of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Howard, it is ordered that John M. Harrell, Esquire of Hot Springs, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court & he was sworn accord-

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse, it is ordered that Frank W. Hale Esquire of Newburyport, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. E. Stevenson, it is ordered that William Duff Hamm, Esquire of Normal, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The National Security Bank. vs. Pltff. in Error
Peter Butler, Receiver of the Pacific National Bank. In Error to the Circuit Court of the United States for the District of Massachusetts.

(166)

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District

of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Blatchford.

672

William H. Robertson, Collector of the Port of New York. vs. C. Laurence Perkins, and Stephen H. Olin, Executors of Charles L. Perkins, deceased.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and

that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Justice Blatchford.

Frank Ely.
vs. Appellant.
The New Mexico & Arizona Railroad Company, Francis Day, Administratrix of John Day, deceased, et al.

133. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to overrule the demurrer to the complaint, and to take such further proceedings as may be consistent with the opin-

ion of this Court.

per Mr. Justice Gray.

1443. John H. Harris vs. Aff. in Error. Jeremiah D. Barber. In Error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on a motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

129. Elsie White, James S. White, Mary L. White, Annie E. White & Ann White vs. Frederick W. Holzhausen. Appellants. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now hereordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed so far as it directs the property, rights and interest therein described to be sold in satisfaction primarily of the sums found by the decree to be due from Alexander White Jr. to the appellee: each party paying one-half of the costs in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings, consistent with the opinion of this Court and with law.

per Mr. Justice Harlan.

(Mr. Chief Justice Chase did not sit in this case or participate in its decision).

50 Josiah Morris. vs. James H. Skinner. Appellant. Appeal from the Circuit Court of the United States for the

Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction, without costs of that Court.

per Mr. Justice Harlan.

1199. Margaret Ruckman. vs. Jonathan Day. Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Alfred Carr, Superintendent of the Insurance Department of the State of Missouri. vs. John C. Hamilton, Executor of William B. Hamilton, deceased. Appellant

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

105

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed.

per Mr. Justice Bradley

	The Union Pacific Railway Company	Appeal from the Circuit Court of
128.	vs. Appellant.	the United States
	Maria W. Mc Alpine &	for the District
	Nicholas Mc. Alpine.	of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

	P. B. Kinnicutt	In Error to the Circuit
1281	vs. Pff in Error	Court of the United States
	John J. Ball & Henry	for the Southern Dis-
	Clerkin.	trict of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On

consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial

per Mr. Justice Gray.

Erastus G. Brown & Francis O. Kenyon, Executors of the last will of John S. Kenyon, deceased, and trustees of his estate under the will.		Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.
97	vs. Appellants.	
Sarah S. Sutton.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit

Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Fuller.

The Cherokee Nation vs. The Southern Kansas Railway Company. Appellant. 1902

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Arthur W. Mundell vs. The Union Mutual Life Insurance Company. Appellant. 1345.

On consideration of the motion for a citation to the appellee herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that a citation issue to said appellee returnable on the first Monday of April next.

per Mr. Chief Justice Fuller.

	Clarence P. Hunt	Appeal from the
16.	vs.	District Court
	Sallie I. Blackburn, Charles	of the United
	L. Blackburn & Co. V. Smith	States for the
		Eastern Dis-
	trict of Arkansas.	

On consideration of the motion for such order as to the Court may seem right in regard to making the heirs and representatives of Sallie I. Blackburn deceased, parties appellees in this cause, and it appearing to the Court that at the October Term 1886 of this Court to wit, March 21. 1887, the death of Sallie I. Blackburn, one of the appellees in this cause, was suggested and an order of publication granted, and a waiver of the publication of said order having been endorsed thereon in the words following, to wit: "Publication waived. Let an enter the appearance of the heirs of Mrs. S.I. Blackburn, deceased, at ensuing term of Supreme Court U.S." (Signed) Jno. C. Williams. Atty of record for defendants"

And the said counsel having failed to

appear and enter such appearance, and said cause having come on to be heard at the present term of this Court in regular order, and having been submitted to the consideration of the Court, and a decree having been entered reversing the decree of the District Court of the United States for the Eastern District of Arkansas and remanding said cause to said Court for further proceedings to be had therein in conformity with the opinion of this Court.

It is now, on motion of appellant's counsel ordered that unless the proper representatives and heirs of the said Sallie S. Blackburn, deceased, shall appear before this Court on or before the first Monday in April, 1889, and become parties to this cause, said decree shall be made absolute against them and stand in full force and effect as if publication had been made under the said order of March 2, 1887.

It is further ordered that a certified copy of this order be published in some newspaper of general circulation in the Eastern District of Arkansas weekly, for four successive weeks

per Mr. Chief Justice Fuller.

The Western Union Telegraph Co. Appellant
225 of O.S. 1887 —vs— vs
The Attorney General of the Commonwealth of Massachusetts.

On consideration of the motion to construe the decree entered in this Court herein. It is now here ordered by the Court that said motion be, and the same is hereby denied. per Mr. Chief Justice Waite

Charles E. Miller & Daniel G. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York. Plffs in Error.
179 vs.
Charles B. Richards & Emanuel Bono.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, this Court being equally divided in opinion. It is now here ordered and adjudged by this Court, that the judgment of the said Cir-

cuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Court of the State of New York.

1483 The United States ..... vs. ..... Appellant. The Missouri, Kansas and Texas Railway Company.

Mr. Solicitor General Jenks of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

2 Original ..... The State of Indiana ..... vs ..... Complainant The State of Kentucky.

On motion of Mr. Joseph E. McDonald, of counsel for the complainant leave is hereby granted to amend the bill of complaint herein.

Ex parte: In the matter of Yow-shay-ee ..... Petitioner

And

Ex parte: In the matter of Captain Jack ..... Petitioner

Mr. W. H. Lamar of counsel for the petitioners submitted to the consideration of the

Court a motion for leave to file petitions for writs of habeas corpus

Joseph B. Willard. Appellant.
484 vs.
Henry K. Willard

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. G. Morris in support of the same, and Mr. W. G. Watkins, in opposition thereto.

146 The American Diamond Drill Co Appt vs. The Sullivan Machine Co
741 The American Diamond Rock Boring Co Appt vs. Charles Sherman et al
742 " " " " " " " " The Rutland Marble Co
157 " " " " " " " " B. P. Gibson et al
758 " " " " " " " " The Sullivan Gang Marble Co
159 " " " " " " " " Carlos Sherman et al
760 " " " " " " " " Eli J. Hawley et al
761 " " " " " " " " William Gault et al.
762 " " " " " " " " Wm W. Kelly.
763 " " " " " " " " J. C. F. Hunter.
764 " " " " " " " " J. K. Bradley et al.
765 " " " " " " " " The Columbia Marble Co
766 " " " " " " " " The Sutton Marble Co.

On motion of Mr. E. T. Rice of counsel for the appellee, leave is hereby granted the Clerk to issued the mandates in these cases.

C. A. Augenardo et al. ... Mr. H. E. Dennis
662 ... vs. ... Plffs in Error ... of counsel for the
E. L. Madden Collector &c ... plaintiffs in error
... submitted to the
consideration of the Court a motion to advance this cause, and assign the same for argument with case No. 179 on the docket for the present term, which was opposed by Mr. Assistant Attorney General Maury, of counsel for the defendant in error. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Mary Wall ... On motion of Mr.
506 ... vs. Appellant ... J. W. Douglass of
The District of Columbia. ... counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause

R.S. Hogan, U.S. Marshal et al.		The motion to dismiss the
73	vs. Appellants	this cause
W. B. Aiken et al.		was submitted to the

consideration of the Court on printed arguments by Mr. J. L. Hogg in support of the same, and Mr. John Paul Jones in opposition thereto.

The Grand Trunk Railway Company of Canada		The motion to dismiss
1153	vs. Plff. in Error	in this cause
Albert Ives, Admr. etc.		was submitted to the

consideration of the Court on printed arguments by Mr. Dow. W. Dickinson and Mr. Elliot G. Stevenson in support of the same, and Mr. E. W. Maddaugh in opposition thereto.

Francis B. Gilas		The motions to dis-
1157	vs. Appellant.	miss or affirm in
G. W. Richardson.		this cause were sub-
		mitted to the con-

sideration of the Court on the record and printed arguments by Mr. Thomas J. Semmes in support of the same and Mr. J. C. Beckwith in opposition thereto.

Ex-parte: In the matter of Anthony Fitts. Petitioner. ... ... Mr Wm Cumming-ton Fisher of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus

George W. Peters. vs Appellant Julius A. Hanson et al. The argument of this cause was continued by Mr. Wm. Hubbell Fisher of counsel for the appellant and Mr. Arthur Stem of counsel for the appellees, and concluded by Mr. Benjamin Butterworth of counsel for the appellant.

1102 The United States, Appellant, vs Henry Taubenheimer
1061 The United States, Plff. in Error vs Harrison C. Drew.
1482 The United States, Appellant vs James B. Montgomery

On motion of Mr. Solicitor General Jenks

It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument with No. 1108, as one case, and that counsel for the appellee and defendant in error be allowed three hours in the argument of the cases

103. The United States, Appellant vs. Carrie Jones
102. " " " " " " " " Henry Barbenheimer
482. " " " " " " " " James B. Montgomery
961. " " " " Pltf. in Error vs Harrison C. Drew

The argument of these cases was commenced by Mr. Assistant Attorney General Howard, of counsel for the United States.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, January 29th. 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Frank W. Hackett it is ordered that R. H. Griffin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry W. Hale et al
Executors etc.
vs. Pffs. in Error.
Stephen Ahers et al

On motion of Mr. Frank W. Hackett leave is hereby granted to withdraw the appearance of Mr. Barclay Henley as counsel for the defendants in error in this cause.

1109. The United States Appellants vs. Carrie Jones
1102. " " " " " " " Henry Taubenheimer
1132. " " " " " " " James B. Montgomery
1041. " " " " Pffs. in Error vs. Harrison C. Drew

The argument of these cases was continued by Mr. James C. Carter and Mr. James A. Kelly, of counsel for Jones and Montgomery and Mr. James L. Bradford, of counsel for Drew, and concluded by Mr. Solicitor General Jenks, of counsel for the United States.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Wednesday, January 30th. 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that Henry M. Dechert, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

Willard Kingsley, Esquire of Grand Rapids State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Stuart S. Shotwell
1230. vs. Pff. in Error. The argument of this cause
Samuel A. Moore, Treasurer &c was continued by Mr. Richard A. Harrison, of counsel for the plaintiff in error, continued by Mr. O. K. Watson, & Mr. O. A. Hollingsworth, of counsel for the defendant in error, and concluded by Mr. G. D. Lincoln, of counsel for the plaintiff in error.

Richard P. Kennon
178. vs. Pff. in Error. The argument of this cause
John G. Gilmer et al was continued by Mr. W. G. Morris, of counsel for
And Kennon & continued by
John G. Gilmer et al. Mr. J. Hanby Watson of
203. vs. Pff. in Error. counsel for Gilmer
Richard P. Kennon. et al.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Thursday, January 31st, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius L. Q. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury, it is ordered that S. Newton Pettis, Esquire, of Meadville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

James W. Rodgers
230 vs. Appellant.
The Seventh National Bank of Philadelphia, The Union Trust Safe Deposit and Insurance Company of Philadelphia, The Eighth National Bank of Philadelphia and John Wilcus.

Appeal from the Circuit Court of the United States for the Western District of Virginia

This cause having been called to the attention of the Court by Mr. J. Randolph Tucker, of counsel for the appellant, and he having moved the Court to dismiss this cause. It is therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Richard P. Kennon
178 vs. Plff. in Error.
John T. Gilmer et al.
—— and ——
John T. Gilmer et al.
233 vs. Plff. in Error.
Richard P. Kennon.

The argument of these cases was continued by Mr. J. Hubley Ashton of counsel for Gilmer et al. and con-

cluded by Mr. W. P. Morris of counsel for Kennon.

I. L. Bintzer, Collector etc. Pff. in Error.
vs.
179 A. Cusimano and Co. Dfts.

The cause was argued by Mr. Assistant Attorney General Maury of counsel for the plaintiff in error and Mr. R. H. Browne of counsel for the defendants in error.

Hollon Parker. Appellant
vs.
157 George Lacres et al. Appellees

The argument of this cause was commenced by Mr. J. N. Mitchell of counsel for the appellant

Proclamation being made the Court is adjourn

Friday, February 1st, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. Thomas Wilson it is ordered that J. L. MacDonald, Esquire of Shakopee, State of Minnesota, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

1443. John H. Harris, Plff. in Error, v. Mr. Job Barnard, of counsel for the defend. Augustus O. Barber, def. in error, moved

the Court that leave be granted the Clerk to issue the mandate in this cause, which was opposed by Mr. A. G. Bradley, of counsel for the plaintiff in error. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Farmers Loan & Trust Company, Trustee et al. vs. The City of Galesburg, Illinois. — Appellants — 1269.

On motion of Mr. Arthur Ryerson of counsel for the appellants, It is ordered by the Court that the parties to this cause be allowed 10 days from this date, within which to avail themselves of the provision of section 7 of the 10th rule.

Charles E. Cross et al. vs. The State of North Carolina. — Plffs in Error — 1493.

Mr. W. W. Flemming of counsel for the defendant in error submitted to the consideration of the Court a motion to advance this cause.

Ex-parte: In the matter of Hollow Parker. Original ——— Petitioner

On motion of Mr. J. H. Mitchell of counsel for the petitioner.

Leave is hereby granted him to file further pleadings in this cause on or before the 4th. day of March next.

Hollow Parker. vs. Appellant. George Dacres et al.

157

The argument of this cause was continued by Mr. W. W. Upton of counsel for the appellees, and concluded by Mr. J. H. Mitchell of counsel for the appellant.

The Woodstock Iron Company vs. Pff. in Error. The Richmond and Danville Extension Company.

180

This cause was argued by Mr. John B Knox of counsel for the plaintiff in error, and Mr. H. B. Tompkins of counsel for the defendant in error.

181. Benjamin Richardson et al. Appts vs Abbel Crow et al Crow's etal
947. Thomas M. Nelson et al. Appts vs. " " " " " "
1057. Thomas M. Nelson. Appellant vs. " " " " " "
1074 Daniel C. Sickles et al. Appts vs. " " " " " "

The argument of the motions to dismiss the appeals was commenced by Mr. J. Hubley Ashton in support of the same.

Proclamation being made the Court is adjourned

Monday. February 4th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Knute Nelson, Esquire, of Alexandria, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Buchanan it is order

ed that Gilbert Collins, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Paul Jones, it is ordered that W. B. Denson, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Hayes, it is ordered that Charles E. Hoyt, Esquire, of N. Hancock, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States			In Error to the Circuit Court for the United States for the Western District of Texas.
133.	vs.	Pff. in Error.	
Dennis Corwin & John Cardwell.			

Monday, February 4th. 1889. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is here by affirmed.

per Mr. Justice Lamar.

The Worley Sewing Machine Company & The Worley Button Sewing Machine Company		Appeal from the Circuit Court of the United States for the District of Massachusetts.
165	vs. Appellants	
Charles B. Lancaster.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit

Court, in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree in favor of the plaintiffs, sustaining the validity of claims 1, 2, 8 and 13 of the first in this patent, and adjudging that those claims have been infringed by the defendant, and ordering a reference to a master to take an account of profits and damages in respect to such infringement, and awarding to the plaintiffs a perpetual injunction in respect to the four claims above mentioned: and to take such further proceedings as shall be according to law and not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The Eastern Railroad Company. Appeal from the
154 vs. Appellant Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims

ation whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed

per Mr. Justice Harlan

William Pinkerton		In Error to the
114. vs.	Plff. in Error	Supreme Court of the
Epifanio Ledoux.		Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley

The Bank of Fort Madison.		Appeal from
353. vs.	Appellant.	the Circuit
Philander M. Allen and		Court of the
George L. Robinson, Executors		United States
of James L. Waterman, deceased.		for the North

ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Sarah Walworth, Executrix of			Appeal from the
John C. Walworth, deceased,			Circuit Court
Mary K. Severance, Hannah			of the United
W. Strickland et al.			States for the
1148.	v.	Appellants.	Eastern Dis-
Joseph L. Harris and John M.			trict of Ar-
Parker, as J. L. Harris and Co. et al.			kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel.

ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller

1314 The United States. Plaintiff vs. John D. Hall.
1315 " " " " " " " " Geo. H. Crandall
1316 " " " " " " " " W. G. Reilly

Upon further consideration, the order denying the motions to advance these causes is set aside, the motions granted and the causes assigned for argument on the third Monday of March next.

per Mr. Chief Justice Fuller.

1143 R. B. Reagan. U. S. Marshal et al. vs. Pltffs. in Error. W. B. Aiken et al.

On consideration of the motion to dismiss herein, It is now here ordered by the Court that said motion be, and the same is hereby denied, without prejudice to its renewal upon the hearing of the case on its merits.

	The Grand Trunk Railway Company of Canada.	On consideration
	vs.	of the motion to
1153.	Pfff in Error.	dismiss herein, and
	Albert Ives, Admr. etc.	of the argument
		of counsel there-

upon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

	Francis B. Peiler	On consideration of
	vs.	the motions to dismiss
1131	Appellant	or affirm in this cause,
	J. W. Richardson.	and of the argument

of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

	Joseph P. Willard.	On consideration of
	vs.	the motions to dis-
1184	Appellant.	miss or affirm in
	Henry K. Willard.	this cause, and of

well in support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied. per Mr. Chief Justice Fuller.

John H. Harris
vs. Plff. in Error.
Quazia O. Barber.

(5113) On consideration of the motion that leave be granted the Clerk to issue the mandate in this cause at once, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Charles E. Cross et al.
vs. Plffs. in Error.
The State of North Carolina.

(193) On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the third Monday of March next.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Gow-shay-ee. Petitioner
v. Original

On consideration of the motion for leave to file a petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Gow-shay-ee. Petitioner
v. Original

On petition for a writ of habeas corpus

On consideration of the petition for a writ of habeas corpus herein and on the motion of Mr. W. H. Lamar of counsel for the petitioner

It is now here ordered by the Court that cause be shown by the Marshal of the United States for the Territory of Arizona before this Court, on Monday the 18th. day of March A. D. 1889, at 12 o'clock noon, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Captain Jack
S. Original ——— Petitioner

On consideration of the motion for leave to file a petition for a writ of habeas corpus. It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Captain Jack.
S. Original ——— Petitioner

On petition for a writ of habeas corpus.

On consideration of the petition for a writ of habeas corpus herein, and on the motion of Mr. W. H. Lamar, of counsel for the petitioner,

It is now here ordered by the Court that cause be shown by the Warden, Superintendent or persons in charge of the State Prison at the City of Columbus, State of Ohio, before this Court, on Monday, the 18th. day of March A. D. 1889 at 12 o'clock noon, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not issue as prayed in said petition

Ex parte: In the matter of Anthony Pitts. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus and of the argument of Counsel thereupon had in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1087. Charles L. Pickett et al. vs The Planing Mill Co. of Shelby County, Tennessee, et al. Plffs. in Error. It is ordered by the Court that the submission of this cause be, and the same is hereby, set aside, and the cause restored to its place on the docket to stand for oral argument

per Mr. Chief Justice Fuller.

88. The Potter Press Company. Appellant. vs Kingman & Company. Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that mandates issue in all cases decided prior to January 21st. 1889 when applied for, except where a petition for rehearing is pending & cases docketed & dismissed under the 4th rule.

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80 Johnson U. Camden. vs. Appellants
G.L.B. Mayhew & Co. et al.

On motion of Mr. W.L. Cole of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause

1739 The Central Trust Co. of N. Y. et al. vs. Appellants. Sylvester H. Rinehart. Mr. Horace Brown of counsel for the appellee suggested a diminution of the record in this cause and moved the Court to award a writ of certiorari. Whereupon, it is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, as prayed.

181 Benjamin Richardson et al. Appts. vs. Ashbel Green et al. Appts. et al.
947 Thomas W. Nelson et al. Appts. " " " " " " " "
1027 Thomas W. Nelson. Appt. " " " " " " " "
1074. Daniel E. Sickles et al. Appts. " " " " " " " "

The argument of the motions to dismiss these appeals was continued by Mr. J. Hubley Ashton and Mr. A. A. Mc. Knight in support of the same and Mr. L. A. Morris, Mr. Willard Kingsley and Mr. Daniel E. Sickles in opposition thereto, and concluded by Mr. Henry W. Eckert, in support of the same.

Proclamation being made the Court is adjourned until Monday, March 4th, 1889

Monday, March 4th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

The Court attended the inauguration of His Excellency Benjamin Harrison, President of the United States.

Proclamation being made the Court is ad-

Tuesday. March. 5th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.

John M. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Garland it is ordered that S. F. Sage Esquire, of Washington, District of Columbia, Pointdexter Lamm, Esquire, of Forrest City, State of Arkansas, and Edward A. Lummer, Esquire, of Minneapolis State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and

On motion first made to the Court in this behalf by Mr. Solicitor General Leech it is ordered that John Lynch, Esquire of Wilkes Barre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. C. Hazelton it is ordered that Perry W. Hazelton, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Sayers, it is ordered that John S. Rector, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Little, it is ordered that [illegible] Esquire of Springfield

State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. B. Catchings. it is ordered that Henry M. Martin Esquire. of New Orleans. State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E Fox, it is ordered that George P. Wanty and Fred. A. Maynard. Esquires. of Grand Rapids. State of Michigan, be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Cole. it is ordered that J. W. Yale Esquire. of Washington. District of Columbia. be admitted to practice as an attorney and counsellor of this Court and

On motion first made to the Court on this behalf by Mr. Enoch Totten, it is ordered that W. H. Norris, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. William M. Evarts, it is ordered that William D. Mullins, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. John Randolph Tucker, it is ordered that James M. Pereles, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. E. W. Bushnell, it is ordered that William Eliot Curtis, Esquire,

sure, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he took said oath accordingly.

Heman B. Chapman. In Error to the
vs Circuit Court of
Robert H. Barney, President the United States
of the United States Ex- for the Northern
press Company. District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the judgment and for such further proceedings as may not be inconsistent with the opinion of this Court.

John Elmer P. Adolph
Trustee.
vs. Appellants.
Louis Leavitt

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

The Schraeder Mining and Manufacturing Company.
118. vs. Plff. in Error.
Elisha A. Packer.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs: and interest until paid, at the same rate per annum as similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Lamar.

Hiram W. Goodwin, Charles S. Goodwin, Sarah E. V. Smith, and Charles M. Smith

168. vs. Appellants

Eleanor Fox, Isaac B. Fox, Flora E. Clark, Truman L. Fox, Emily F. Beckley, Eleanor J. Fox, and Gertrude R. Fox, heirs and representatives of S. Willard Fox, deceased.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the tran-

of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby, remanded to the said Circuit Court with a direction to take such further proceedings as may be in accordance with law and not inconsistent with the opinion of this Court. ——— per Mr. Justice Blatchford

The United States ex rel: Mary Elizabeth Levey, intermarried with George Collins Levey. ——— vs. ——— Plff. in Error. Brother M. Stockton, Commissioner of the General Land Office.

In Error to the Supreme Court of the District of Columbia.

No. 181.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was

argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in General Term, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

Thomas H. Allen, Perry Nugent & John B. Lallande, partners, under the firm name of Allen, Nugent & Company and Thomas H. Allen.

vs. Appellants.

Benjamin H. Smith, Levi Springer, Admrs. of Wm. H. Reed, deceased, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with

Mr. Chief Justice Fuller was not a member of the Court when this case was submitted and took no part in its decision.

George W. Peters	Appeal from the
65 vs. Appellant	Circuit Court of the
The Acme Manufacturing Company.	United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Blatchford.

66. George W. Peters
vs. Appellant.
Julius A. Hanson & Cortland G. Van Camp, partners under the firm name of Hanson, Van Camp and Company.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

5. The Liverpool & Great Western Steam Company (Limited)
vs. Appellant
The Phenix Insurance Company.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the trans-

the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Gray.

(Mr. Chief Justice Fuller and Mr. Justice Lamar were not members of the Court when this case was argued, and took no part in its decision).

6 The Liverpool & Great Western Steam Company (Limited) vs. The Insurance Company of North America. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel.

ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

(Mr. Chief Justice Fuller and Mr. Justice Lamar were not members of the Court when this case was argued, and took no part in the decision).

139 | The Insurance Company of North America ... vs ... Pltf. in Error. | In Error to the Circuit Court of the United States for the
Jamie I. Guardiola and Tomas Tejedor ... | Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be,

and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial

per Mr. Justice Gray.

Ida Ralston
98. vs. Appellant.
George S. Purpin, as Trustee for his children William C. Purpin, Frank M. Purpin, George R. Purpin & Walter H. Purpin, et al.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

	Hollon Parker.	Appeal from the Su-
157	vs. Appellant	preme Court of the
	George Macres. H. L. Isaacs.	Territory of Wash-
	Alfred Thomas et al.	ington.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	Algernon S. Badger, Collector	In Error to the
	of the Port of New Orleans.	Circuit Court of
179	vs. Def. in Error.	the United States
	A. Cusimano and Company,	for the Eastern
	a commercial firm composed	District of
	of Angelo Cusimano & Charles P. Adone.	Louisiana.

This cause came on to be heard on the Trans-

the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr. Justice Harlan.

147 The Arkansas Valley Land & Cattle Company, Limited, Plff. in Error, vs. Jeremiah J. Mann. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

this cause be, and the same is hereby affirmed with costs, and interest, until paid at the same rate per annum that similar judgments by law in the Courts of the State of Colorado

per Mr. Justice Harlan.

1144 Harrison H. Ballard. vs. Appellant. Anson Sears. Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on a motion by the appellant to reverse the decree of the Circuit Court of the United States for the Eastern District of Michigan in this cause, and to remand the cause to the said Circuit Court with a direction to dismiss the bill of complaint, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to allow the appellant, the defendant below, to file such supplemental bill as he may be advised in the

nature of a bill of review or for the purpose of suspending or vacating the decree upon the new matter arising from the reversal by this Court of the decree in the case of Anson Sears vs. Alva Worden and John Worden, and that such proceedings thereon be had as justice and equity may require. And it is further ordered that each party pay his own costs on this appeal

per Mr. Justice Bradley.

The Woodstock Iron Company.		In Error to the Circuit Court of the United States for the Northern Dist. of Alabama.
180.	vs. Pff. in Error.	
The Richmond & Danville Extension Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern Dist. of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is here-

by, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrers to pleas Nos. 10 and 11, and to take further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Field.

Dissenting:
Mr. Justice Bradley
Mr. Justice Miller.

169. Peter L. Kimberly vs. Marks D. Arms et al — Appellant — Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is here-

by remanded to the said Circuit Court with directions to confirm the report of the special master, and to take further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Field.

767. Robert Mc. Kenna & Robert Mc. Kenna, as guardian of Maude B. Mc. Kenna. vs. J. Lawrence Simpson, as Assignee of bankruptcy of Robert Mc. Kenna, et al. — In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Field.

The United States.
17. vs. Appellant
The Marshall Silver Mining Company & The Colorado Central Consolidated Mining Company.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Miller.

Stewart B. Hotwell
1033. vs. Plff. in Error
Samuel A. Moore, as Treasurer of Harrison County, Ohio.

In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller

Dissenting.

Mr. Justice Bradley.

The Oregon Railway and Navigation Company. vs. The Oregonian Railway Company, Limited. Plff. in Error.

In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed to the said Circuit Court, with a direction to overrule the demurrer, and to take

such further proceedings as shall be according to law, and not inconsistent with the opinion of this Court.

per Mr. Justice Miller.

Dissenting:

Mr. Justice Field

(Mr. Chief Justice Fuller was not a member of the Court when this case was argued, and took no part in its decision).

The City National Bank of Fort Worth & John Dawson
vs. Appellants.
R. D. Hunter, O. L. Evans and W. P. Bull, partners, under the firm name of Hunter, Evans and Co.

116. Appeal from the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed

ed to the said Circuit Court with directions to proceed in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

The Collins Company
vs. Appellant
Loring Coes 2d Melvin C Whittier partners under the name and style of Loring Coes 2d Company

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

	G. W. Morton	In Error to the
1442	vs. Plff. in Error.	Circuit Court of
	The Board of Commissioners	the United States
	of the Paving District of the	for the Western Dis
	City of Brownsville.	trict of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

	The Commissioners of the	In Error to the
	Paving District of the City	Circuit Court of
	of Brownsville, Tennessee.	the United States
1445	vs. Plffs. in Error.	for the Western
	John Loague. Administrator	District of Tenn-
	of S. D. Baker, deceased	essee.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the petition

per Mr. Chief Justice Fuller.

G. W. Morton & W. G. Morton, composing the firm of G. W. Morton and Company: vs. The Board of Commissioners of the Taxing District of the City of Brownsville.

In Error to the Circuit Court of the United States for the Western District of Tennessee.

155

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

—Order.—

It is now here ordered by the Court that Rule 59 of the Rules of Practice for the Courts of Equity of the United States be, and the same is hereby, amended by adding at the end thereof the words "or before any Notary Public."

1146. Yiao Chau Ping v. The United States, Appellant. On motion of Mr. Attorney General Garland, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on March 25th.

1225. The Winona & St. Peter R.R. Co v. The Town of Plainview, Plff in Error. On motion of Mr. Thomas Wilson, of counsel for the plaintiff in error, It is

1226. The Winona & St. Peter R.R. Co v. The Town of Elgin, Plff in Error.

ordered by the Court that counsel for the plaintiff in error be allowed thirty days from this date within which to file printed briefs in opposition to the motions to dismiss or affirm in these cases

Bernard Arnson and Ellis Wilzinske.	In Error to the Circuit Court of the United States for the Southern District of New York.
289 vs. Plffs. in Error.	
Edwin A. Merritt, late Collector of the Port of New York.	

This cause having been called to the attention of the Court by Mr. Edwin B. Smith of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

John M. Lamb.
1302 vs Appellant. The motions to dismiss
Robert Mc. Lure were submitted to the
consideration of the
Court on printed arguments by Mr John Lords
in support of the same, and Mr. L. L. Bundett,
in opposition thereto.

David S. Terry et ux.
1462 vs. Appellants The motion to dismiss
S. W. Sharon, Executor &c. in this cause was
submitted to the con
sideration of the
Court on the record and printed arguments
by Mr. J. M. Wilson, in support of the same, and
Mr. Samuel Hallstarger and Mr. J. M. Wilson,
in opposition thereto.

Warren Leland Jr.
881. vs. Aff. in Error. The motions to dis
The Central National Bank miss or affirm
of the City of New York. in these cases were
——— and ——— submitted to the
Warren Leland Jr. consideration of
882 vs. Appellant the Court on the
The Central National Bank record in case
of the City of New York. No. 881 and print-

ed arguments by Mr. John Lunn, in subport of the same, and Mr. Spencer L. Miller, in opposition thereto. Mr. O. J. Willard in behalf of counsel for the plaintiff in error and appellant, opposed the submission of the motions for the reason that the record in case No. 882 had not been printed.

The District of Columbia vs Plff. in Err. Laurence E. Gannon. 882. The argument of this cause was commenced by Mr. D. G. Riddle, of counsel for the plaintiff in error, and continued by Mr. S. S. Henkle of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Wednesday, March 6th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that G. W. Nelson, Esquire, of St. Paul, State of Minnesota; R. W. Taylor, Esquire, of New Lisbon, State of Ohio, and James W. Beach, Esquire, of Chicago, State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Tribute it is ordered that John G. Lacey, Esquire of Ottumwa and Joseph A. Ford, Esquire of Council Bluffs, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Coulter, it is ordered that Samuel B. Huey, Esquire of Uniontown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Perkins it is ordered that Alex Burgess, Esquire of Canton, State of Texas and James A. Reilly, Esquire of Hailey, Territory of Idaho, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr. W. H. Rossington it is ordered that John B. Carpenter and Amos L. Lapham Esquires, of Chanute, State of Kansas, and B. F. Snyder Esquire, of Charleston, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Wm. Emmons Cooper, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur Stem it is ordered that Francis E. Colby, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	W. W. Grew	In Error to
82	vs. Pff. in Error.	the Supreme
	R. D. Hayes, continued against	Court of the
	C. E. Thom, Admr. of R. D.	State of Cal
	Hayes, dec'd: H. D. Hazard, Ad-	ifornia
	min. of James Vinyard Hayes, d-	
	ceased, and Russell L. Hayes	
	a minor, by his guardian Elda	
	G. DeLong, successors in interest	
	to R. D. Hayes, deceased.	

This cause having been called to the attention of the Court by Mr. W. J. Johnston, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The District of Columbia	The argument
82	vs. Pff. in Error.	of this cause
	Lawrence E. Gannon.	was contin-

used by Mr. L. L. Henkle of counsel for the defendant in error, and concluded by Mr. Henry E Davis of counsel for the plaintiff in error.

183 — The District of Columbia, Plff. in Error, v. Clinton H. Emerson — This cause was argued by Mr. A. G. Riddle of counsel for the plaintiff in error and Mr L L Henkle of counsel for the defendant in error

184 — J. W. Leonard & John G. Allen, Appellants, v. William H. Chatfield, Trustee. — Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

J. W. Leonard, John S. Allen and John Mc. Nair.	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.
vs. Appellant	
The Ozark Land Company.	

This cause having been called for hearing in its regular order, and a stipulation of counsel to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Henry G. Thompson	The argument of this cause was commenced by Mr. Horace Barnard, of counsel
vs. Appellant	
Thomas G. Hall et al.	

for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March, 7th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
John M. Harlan — Associate
Horace Gray — Justices
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. O. Braynard it is ordered that William P. Burnett, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. B. Cole it is ordered that Edwin S. Crosby, Esquire, of Emmetsburg,

State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. W. H. Poxington it is ordered that G. P. Anderson, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. J. H. Mitchell, it is ordered that G. P. Mays, Esquire, of The Dalles, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. J. M. Wilson it is ordered that George Arthur Murphy, Esquire, of Knox, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Henry L. Thompson.
186 vs. Appellant
Thomas G. Hall et al

The argument of this cause was continued by Mr. Horace Barnard of counsel for the appellant and concluded by Mr. Amos Broadnax of counsel for the appellees.

Squire B. Rude et al.
187 vs. Appellants
John W. Wescott et al.

This cause was argued by Mr. Arthur Stem of counsel for the appellants, and submitted on printed arguments by Mr. S. S. Wood & Mr. Edward Boyd, of counsel for the appellees.

Hallett Kilbourn et al
188. vs. Appellants
Mary A. Lunderland, Executrix &c. et al

Mary A. Lunderland Executrix &c. et al.
261. vs. Appellants
Hallett Kilbourn et al.

Mary A. Lunderland. Executrix &c
262 vs. Appellant
Hallett Kilbourn et al.

The argument of these cases was commenced by Mr. W. G. Harris of counsel for Lunderland. Executrix &c.

Proclamation being made the Court is adjourn-

Friday, March 8th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. R. Reed it is ordered that Leonard Everett, Esquire, of Council Bluffs State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. G. Wanderson it is ordered that O. P. Mason, Esquire, of Lu-

ador, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that L. P. Brown, Esquire, of Oregon City, and John L. Leasure, Esquire, of Vancouver, State of Oregon be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Cole it is ordered that L. Edwin Dudley, Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Watson it is ordered that C. H. Burrhans Esquire, of Logan, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Honorable Augustus H. Garland addressed the Court as follows.

May it please the Court.

I ask leave to introduce to the Court Attorney General William H.H. Miller and present his commission as such signed by the President of the United States and ask that it be duly noted of record

In doing this the Court will permit me to return my sincere thanks to each member thereof, as well as its officers, for the uniform courtesy and consideration shown me by them during my term of office here, and I ask for my successor the same kindness as I feel sure, he will prove himself in all respects worthy of it.

The Chief Justice responded as follows,

We are happy to make the acquaintance of the Attorney General. The Court welcomes the coming guest with pleasure, and speeds the parting guest with kindly remembrance. Let the commission be recorded

Benjamin Harrison
President of the United States of America

To all who shall see these presents, Greeting:
Know Ye: That reposing special trust and confidence in the patriotism, integrity and abilities of William H.H. Miller, of Indiana, I have nominated, and by, and with the advice and consent of the Senate, do appoint him to be Attorney General: and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said William H.H. Miller, subject to the conditions prescribed by law

In testimony whereof I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed. Given under my hand at the City of Washington, the Fifth day of March in the year of Our Lord one thousand, eight hun-

(Seal)

hred and eighty-nine
nd of the Independen
ce of the United State
of America the one
hundred and thirteenth
Benj. Harrison

By the President:
T.F. Bayard
Secretary of State

Hallett Kilbourn et al.
188 vs. Appellants
Mary A. Sunderland, Executrix et al.

Mary A. Sunderland, Executrix et al.
261 vs Appellants
Hallett Kilbourn et al.
And
Mary A. Sunderland, Executrix
262 vs. Appellants.
Hallett Kilbourn et al.

The argument of these cases was continued by Mr. W. G. Morris, of counsel for Sunderland, Executrix and Mr. J. M. Wilson and Mr. Enoch Totten of counsel for Kilbourn et al. and concluded by Mr J. H. Ralston, of counsel for Hillyer.

Proclamation being made the Court is adjourn

Monday March 11th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright. Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Woodbury Blair it is ordered that W. A. H. Andrews and Payson Bluff Tucker. Esquires, of Boston. State of Massachusetts be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. James Lowndes it is ordered

that D. W. Bacot Esquire of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that James C. Jenkins, Esquire, of Catawba, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Claudran it is ordered that J. W. Gilman, Esquire of St. Paul, State of Minnesota, and Jeremiah Leaming, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Parker it is ordered that Robert Odraw, Esquire, of New Brun-

wick, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

369 The United States — Appeal from the Court of Claims
vs. Appellant.
Walbone G. Watson.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

132 Bullitt County — In Error to the Circuit Court of the United States for the District of Kentucky.
vs. Pff. in Error.
W. G. Washer, Jacob Dawahare and Peter Baecker.

This cause came on to be heard on the trans

cript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kentucky.

per Mr. Justice Lamar.

Andrew Callon		In Error to the
1408	vs. Plff. in Error.	Supreme Court
The People of the Territory of Utah.		of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and

the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the said Supreme Court with directions to award a new trial, and for such further proceedings as may not be inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

Warren Leland Jr. ... On consideration
881. vs. Pff. in Error. ... of the motions to
The Central National Bank ... dismiss or affirm
of the City of New York ... in these cases, and
And ... of the argument
Warren Leland Jr. ... of counsel thereupon
882 vs. Appellant. ... had, as well in sup-
The Central National Bank ... port of as against
of the City of New York. ... the same, It is
now here ordered

by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

John M. Lamb ... On consideration of the
1302 vs. Appellant. ... motions to dismiss or
Robert Mc. Clure ... affirm in this cause

and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

Gallinadge E. Brown
vs.
The District of Columbia

Appeal from the Supreme Court of the District of Columbia.

137

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Ex-parte: In the matter of You-shay-ee.	Mr. W. H. Lamar of counsel for the petitioners submitted to the consideration of the Court a motion for leave to prosecute the cause in forma pauperis
7. Original. ——— Petitioner	
Ex-parte: In the matter of Captain Jack.	
8. Original. ——— Petitioner	
J. P. Smith, J. O. Reed and David Bouz.	In Error to the Circuit Court of the United States for the Northern District of Texas.
1074. vs. Plffs. in Error.	
William T. Holt.	

This cause being called to the attention of the Court by Mr W. Hallett Phillips, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

194 J. P. Smith et al. ... vs. ... Plffs. in Error. William T. Holt. ... On motion of Mr W. Hallett Phillips of counsel for the plaintiffs in error leave is hereby granted the Clerk to issue the mandate in this cause.

1217 Catharine O'Mealy et al ... vs. ... Appellants The Steamship "Alaska" etc. ... The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. George Bethune Adams in support of the same, and Mr. James Parker, in opposition thereto.

876 The Chicago, Burlington & Quincy R. R. Co. ... vs. ... Plff in Error. George W. Gray. ... The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. John G. Lacy, in support of the same.

1138 The Sunflower Oil Co. Appellant vs. Benjamin Wilson, Receiver etc. &
1137 The Sunflower Oil Co. Appellant vs. Benjamin Wilson, Receiver etc.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Holmes Cummins, in support of the same, and Mr. P. C. Calcolings, in opposition thereto.

998. Henry Thomas Coghlan Appellant. vs. The South Carolina R.R. Co.

The petition of H. Buckney Walker for leave to file a bill in the nature of a Stipulation bill in the Circuit Court of the United States for the District of South Carolina or for permission to move in that Court for such leave was argued by Mr. F. W. Bacot, in support of the same, and Mr James Lowndes, in opposition thereto.

Fred B. Smith et al. The motions to dis-
98 vs. Appellants. miss or affirm in
John E. Adams. this cause were sub-
mitted to the con-
sideration of the Court on the record and
printed arguments by Mr. George F. Ed
munds in support of the same, and Mr.
Samuel Shellabarger and Mr. J. M. Wilson
in opposition thereto.

The City of Clay Centre, Kansas The motion
577 vs. Appellant. to dismiss
The Farmers Loan & Trust Co. in this cause
was submit
ted to the consideration of the Court on
the record and printed arguments by Mr.
W. H. Rossington, in support of the same,
and Mr. W. P. S. Curtis and Mr. W. E.
Earle in opposition thereto

Robert F. Campbell. Ordered by the
189 vs. Pff. in Error Court that this
Samuel H. Wade. cause be, and the
same is hereby,
continued until the next term, per stipul-

	Robert L. Stevens	The argument of this
190.	vs. Pff. in Error	cause was commenced
	William Nichols	by Mr. James Carr of

counsel for the plaintiff in error, continued by Mr. George P. B. Jackson, of counsel for the defendant in error, and concluded by Mr. A. H. Garland, of counsel for the plaintiff in error.

	The Washington & Georgetown	Ordered by the Court
	Railroad Company.	that this cause be,
194.	vs. Pff. in Error.	and the same is
	The District of Columbia.	hereby, passed.

	The Union Trust Company	The argument of
	of New York	this cause was
191.	vs. Appellant	commenced by Mr
	The Southern Inland Nav-	J. B. Cooper of coun-
	igation and Improvement	sel for the appellant.
	Co. et al.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March 12th 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Robert Adrain it is ordered that Frederick Wright, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Thursday, March, 12th. 1889. Continued.

The Union Trust Company of New York. Appellant
vs.
The Southern Inland Navigation & Improvement Co. et al.

The argument of this cause was continued by Mr. J. C. Cooper of counsel for the appellant and Mr. Wayne MacVeagh, of counsel for the appellees. & concluded by Mr. Cooper for the appellant

191.

Andre M. de La Motte. Appellant.
vs.
William Augus.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

192

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, Therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Nelson Williamson, Collector &c. vs. Pltff. in Error. The State of New Jersey & al. 193.

The cause was argued by Mr. John A. Hankes of counsel for the plaintiff in error, and Mr. Robert Clarke of counsel for the defendants in error.

Henry Amy & al vs. Pltfs in Error The City of Watertown 196.

The argument of this cause was continued by Mr. Chs. P. Miller of counsel for the plaintiffs in error, and continued by Mr. George W. Bird and Mr. Daniel Hall, of counsel for the defendant in error, and Mr Miller, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, March, 13th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Thomas Wren it is ordered that Charles S. Varian, Esquire, of Salt Lake City, Territory of Utah be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Henry Amy et al. vs The City of Watertown. In Error to the Supreme Court of the State of New York.

196

The argument of this cause was concluded by Mr.

George P. Miller, of counsel for the Plaintiffs in error.

Henry Amy et al.
177 vs. Pffs. in Error.
The City of Watertown
Edwin G. Knowlton, individually & as Executor etc.
178 vs. Pff. in Error.
The City of Watertown
Edwin G. Knowlton, individually & as Executor etc.
177 vs. Pff. in Error.
The City of Watertown
Rufus P. Spalding et al. Executors etc.
200 vs. Pffs. in Error.
The City of Watertown
Rufus P. Spalding et al. Executors etc.
201. vs. Pffs. in Error.
The City of Watertown.

Prior cases were argued by Mr. George P. Miller of counsel for the plaintiffs in error and Mr. George W. Bird and Mr. David Hall of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, March. 14th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright. Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin B. Smith it is ordered that Clarkson N. Collins. Esquire. of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eppa Hunton it is ordered that

Austin B. Fletcher, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that Francis Gracy Cobin Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court as he was sworn accordingly.

1125 S.B. Arbuckle vs. Plff. in Error P.J. Quigley. Clerk &c.

This cause was submitted to the consideration of the Court on the record and a stipulation to reverse the judgment of the Supreme Court of the State of Tennessee by Mr. T.B. Burley, of counsel for the plaintiff in error and Mr. Isham G. Harris of counsel for the defendant in error.

	Sarah M. Jones	The argument of this
202	vs Appellant	cause was commenced
	Wallace A VanDoren et al.	by Mr. Charles E.
		Gaudraw, of counsel

for the appellant, continued by Mr. J. M. Gibbons of counsel for the appellees, and concluded by Mr. Jeremiah Leaming, of counsel for the appellant

	The New York & Colorado Mining Syndicate & Company.	This cause was
204	vs Plff. in Error.	argued by Mr.
	David A. Fraser et al.	H. B. Gwinn
		of counsel for
		the plaintiff in

error. No counsel appeared for the defendants in error.

	The Manhattan Bank of	The argument of
	Memphis, Tennessee	these cases was
205	vs. Appellant	commenced by
	Eliza Walker	Mr. J. A. Walker
	And	of counsel for

	Eliza Walker	Eliza Walker Esq
282	vs. Appellant	continued by Mr
	The Manhattan Bank of	C.B. Burdy of
	Memphis, Tennessee.	counsel for the
		Manhattan Bank

Proclamation being made the Court is opened until To-morrow at twelve o'clock.

Friday, March 15th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Eppa Hunton, it is ordered that Walter S. Logan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Solicitor General Jenks it is

ordered that E. C. Hughes. Esquire. of Syracuse. State of Iowa. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Gorac it is ordered that W. R. Walker. Esquire. of Aberdeen. State of Mississippi. be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Hammond it is ordered that Thomas B. Hall. Esquire. of Cleveland. State of Ohio. and Joseph Spencer Kennard Jr. Esquire. of Chicago. State of Illinois. be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

337. Rachel L. Gall. Joseph G. Gait & Richard Thomas vs. Plffs. in Error. Henry Kiefer. In Error to the Circuit Court of the United States for the Eastern Dis-

trict of New York

This cause having been called to the attention of the Court by Mr. W. Dumont. in behalf of counsel for the plaintiffs in error, and a Stipulation to dismiss this cause having been filed. It is, therefore, in pursuance of said stipulation. now here ordered and adjudged by this Court. that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John E. Hockett		In Error to the Su-
363 vs.	Plff. in Error	preme Court of the
The State of Indiana.		State of Indiana.

This cause having been called to the attention of the Court by Mr. Joseph E. McDonald. of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. It is, therefore, in pursuance of said motion. now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

with costs.

per Mr Chief Justice Waite.

	The Manhattan Bank of Memphis, Tennessee.		The argument of these cases was continued by Mr. G. B. Cluley of counsel for the Manhattan Bank, and concluded by Mr. S. P Walker of coun-
305	vs.	Appellant	
	Eliza Walker		
	and		
	Eliza Walker		
82	vs.	Appellant	
	The Manhattan Bank of Memphis, Tennessee		

sel for Eliza Walker.

	The United States		This cause was argued
206	vs.	Plaintiff	by Mr. Solicitor Gen
	S. H. Pile		eral Jenks, of counsel

for the plaintiff, and submitted on a printed argument by Mr. John P. Murray, of counsel for the defendant

207 A. O. Hammer ... vs. Jeff. in Error ... The Garfield Mining & Milling Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. W. Poole and Mr. J. K. Poole, of counsel for the plaintiff in error, and Mr. Epper Hunton of counsel for the defendant in error.

208. James M. Veach et al vs. Appellants. Ada S. Rice et al.

The argument of this cause was commenced by Mr. P. L. Myatt, of counsel for the appellants, and continued by Mr. W. K. Moore, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 18th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. O. B. Henderson it is ordered that Owen T. Blair, Esquire, of Manchester, and Henry L. Wilcox, Esquire, of Des Moines, State of Iowa be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General, leave it is ordered that Darow N. Wilson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Flemming it is ordered that James H. Horah, Esquire, of Salisbury, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Benjamin Richardson and Henry Day. v. Ashbel Green & William Bond as Trustees &c. et al.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

181

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and on motions to dismiss which were argued by counsel. On consid-

cation thereof. It is now here ordered, adjudged and decreed by this Court that the appeal from the decree of said Circuit Court of May 3, 1883, be, and the same is hereby, dismissed: and it is further ordered that the appeal from the decree of said Circuit Court of October 8, 1883, be dismissed, unless the said appellants shall procure to be issued and served on the appellees in that appeal who have not entered in this Court a general appearance in this cause a citation returnable at the next term of this Court, provided the issuing and service of such citation shall not be duly waived: and that such citation shall issue if a request therefor be filed with the Clerk.

It is further ordered that this order be entered nunc pro tunc as of February 4th, 1889.

per Mr. Justice Blatchford.

	Thomas W. Nelson and James B. Soule, composing the firm of Thos. W. Nelson & Co.	Appeal from the Circuit Court of the United States for the Western District of Michigan.
944	vs. Appellants	
	Ashbel Green, and William Bond, Executors etc et al	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and on motions to dismiss which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Justice Blatchford.

	Thomas W. Nelson	Appeal from the Circuit Court of the United States for the Western District of Michigan.
1027.	vs. Appellant	
	Ashbel Green and William Bond, as Trustees etc et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Western District of Michigan, and on motions to dismiss — which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Blatchford

David E. Sickles and		Appeal from the
Benjamin F. Stevens		Circuit Court of
1074	vs. Appellants	the United State
Asahel Green and William		for the Western
Bond as Trustees etc. et al.		District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and on motions to dismiss which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Blatchford.

	Henry L. Thompson.	Appeal from the
186	vs. Appellants	Circuit Court of
	Thomas L. Hall, J. R. Oliver	the United States
	Samuel Leopold and David	for the Eastern
	L. Harris	District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be and the same is hereby, affirmed with costs

per Mr. Justice Blatchford.

	Squire B. Rude: Henry Husted	Appeal from
	and Americus B. Johnson, Admrs of	the Circuit
	George W. Rude, decd: and William	Court of the
	H. Snyder, Executor of John C.	United States
	Rude, deceased.	for the Dis-
187	vs Appellants.	trict of In-
	John W. Wescott and Henry Lewis.	diana.
	John G. West and Edward A. Ferguson,	
	Executors of Charles W. West, deceased.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the complainants for nominal damages.

per Mr. Justice Field.

Ex parte: In the matter of Gow-shay-ee.
7. Original ——— Petitioner
and
Ex parte: In the matter of Captain Jack.
8. Original ——— Petitioner

On consideration of the motion for leave to prosecute these cases in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Rachel L. Goff et al. vs. Plffs. in Error. Henry Kiefer. — On consideration of the motion for leave to the Clerk to issue the mandate in this case at once, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

337

The Chicago Burlington & Quincy Railroad Company vs. Plff. in Error. George W. Grau. — In Error to the Circuit Court of the United States for the Southern District of Iowa.

876

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Henry Thomas Scanlan		On consideration
198	vs.	of the petition
The South Carolina R.R.Co.		of H. Buckner
		Walker for leave

to file a bill in the nature of a supplemental bill in the Circuit Court of the United States for the District of South Carolina, or for permission to move in that Court for such leave, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Waite.

J.B. Arbuckle		In Error to the
1125	vs.	Supreme Court
P.J. Quigley, Clerk of the		of the State of
County Court of Shelby		Tennessee.
County, Tennessee.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the following stipulation of counsel for the respective parties.

"In this cause it is stipulated and

agreed that upon the facts of the case it falls within the principles decided by this Court, at this term, in the cases of Aetna vs. Texas, 128 U.S. 129 and Hartenburg, Inland and of Washington Asylum vs. Schmick, 129 U.S. 111. It is accordingly agreed that the case may be reversed and remanded with instructions to enter judgment for the plaintiff in error.

March, 12, 1889. D.B. Darby

Attorney for plaintiff in error.

Johan C. Harris

Attorney for defendant in error.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to enter judgment for the plaintiff in error, pursuant to said stipulation.

per Mr. Chief Justice Fuller.

1138. The Sunflower Oil Company vs. Benjamin Wilson, Receiver etc. Appellant

1139. The Sunflower Oil Company vs. Benjamin Wilson, Receiver etc. Appellant

On consideration of the motions to dismiss or affirm in these cases, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied per Mr. Chief Justice Waite.

700. Nathaniel D. Moore: Nathaniel D. Moore Jr. sole heir at law of Helen Moore, deceased, by his guardian Nathaniel D. Moore: and John McKay, Administrator of the estate of Helen Moore, deceased. vs. Christina Crawford, Mary Ann Monroe and John D. Monroe. Appellants

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Western District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1183 The United States v. Appellant
The Missouri, Kansas & Texas Railway Company.

Mr. Solicitor General Jenks, of counsel for the appellant, moved the motion to advance this cause

1034. The United States, Plaintiff v. John O. Hall
1035. " " " " " " " " George H. Perrin et al
1036 " " " " " " " " W. P. Reilly.

On motion of Mr. Solicitor General Jenks, of counsel for the plaintiff. Ordered by the Court that these cases be passed for the present

David L. Berry et ux
762 vs. Appellants
P. W. Sharon, Executor, etc.

On motion of Mr. H. E. Davis of counsel for the appellee, leave is hereby granted him to withdraw the motion to dismiss heretofore filed and submitted in this cause.

The Bate Refrigerating Co
862 vs. Appellant
George H. Hammond & Co.

On motion of Mr. Paul A. Bate of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

Nichols, Shepard & Company
95. vs. Appellant
Elon A. Marsh et al.

On motion for a relaxation of costs in this cause was submitted to the consideration of the Court by Mr. D. G. Burlow, in support of the same, and Mr. R. O. Parker and Mr. C. L. Conger in opposition thereto.

George L. Orth et al. vs. Isaac P. Ferguson et al. Appellants

269

Mr. A. B. Browne of counsel for the appellants, submitted to the consideration of the Court a motion to remit the Clerk's fees for superintending the printing of the transcript of the record in this cause.

John A. Smith vs. W. O. Dewire Plff. in Error

1063

In Error to the Supreme Court of the State of Kansas.

This cause having been called to the attention of the Court by Mr. A. B. Browne, of counsel for the defendant in error, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Charles F. Cross et al vs. The State of North Carolina. Plff. in Error.

1495

Mr. Solon to recall the order advancing this

cause was argued by Mr. W. R. Henry, in support of the same, and Mr. G. G. Davidson in opposition thereto. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

James M. Veach et al. vs. Ida S. Rice et al. Appellants

208. The argument of this cause was concluded by Mr. H. L. Hammond of counsel for the appellants.

Ex: parte: In the matter of Sow-okay-ee. Original — Petitioner

and

Ex: parte: In the matter of Captain Jack. Original — Petitioner

7. 8. These cases were argued by Mr. W. H. Lamar of counsel for the petitioners, & by Mr. Solicitor General Clark of counsel for the respondents.

The Stillwell & Bierce Manufacturing Company. vs. Phelps. Pff. in Error.

209. This cause was argued by Mr. Gerry W. Hazelton

of counsel for the plaintiff in error and Mr. John W. Rich of counsel for the defendant in error.

Lizzie Burlow et al. vs. Peffo. in Error. Nathl L Travers et al

211. The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William Gray and Mr. Douglas Dyrenforth, of counsel for the plaintiffs in error and Mr. A. L. Rhodes, Mr. A. F. Britton, Mr. A. B. Browne and Mr. W. J. Curtis, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, March 19th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Joseph P. Bradley
John M. Harlan Associate
Horace Gray Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. L. Bond it is ordered that Eugene M. Ehrlich, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. M. Cockrill it is ordered that Lewis W. Colman, Esquire, of Boo-

law, State of Massachusetts, and J. M. Harrison, Esquire, of Redwood, State of Missouri, be admitted to practice as attorney and counsellors of this Court and they were sworn accordingly.

1173 Charles S. Cross et al. vs. Plffs. in Error. The State of North Carolina. — Mr. T. G. Lowndes of counsel for the defendant in error submitted to the consideration of the Court a motion to advance this cause, and leave was granted Mr. W. R. Henry, of counsel for the plaintiffs in error to file a printed brief in opposition thereto.

210 A. G. Brock & Company vs. Plffs. in Error. The Northwestern Fuel Co. — This cause was argued by Mr Charles D. Park, of counsel for the plaintiffs in error, and leave granted counsel for the defendant in error to file a printed brief on or before the 28th. instant.

215 Amos M. Shepherd vs. Plff. in Error The Baltimore & Ohio R.R. Co. — Ordered by the Court that this cause be passed until to morrow

214 George Allman vs. The United States. Appellant. This cause was argued by Mr. A. L. Willard of counsel for the appellant & Mr. Assistant Attorney General Howard, of counsel for the appellee

215 J. B. Hurlbut vs. John J. Schillinger et al. Appellant. This cause was argued by Mr. L. L. Bond of counsel for the appellant, & Mr. George W. Hey, of counsel for the appellees.

216 O. B. Baldwin vs. Morton Marye and A. W. Harman. Plff. in Error. In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause having been called for hearing in its regular order and the authority of the counsel for the plaintiff in error to dismiss this cause having been filed, It is therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, & the

same is hereby, dismissed with costs.
per Mr. Chief Justice Fuller.

John C. Wright &c
David Deck.
317. vs. Appellants
Calvin C. Miller et al.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

William W. Gibbs
326. vs. Pff. in Error
The Consolidated Gas Company of Baltimore.

The argument of this cause was commenced by Mr. S. D. Wallis of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, March, 20th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1034 The United States vs. Plaintiff
John O. Hall

1035 The United States vs. Plaintiff
George H. Perrin et al.

And

1036 The United States vs. Plaintiff
W. F. Reilly

On motion of Mr. Solicitor General, Jenks, of counsel for the plaintiff, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday April, 8th.

William W. Gibbs
320 vs. Plff. in Error
The Consolidated Gas
Company of Baltimore.

The argument of this cause was continued by Mr. J. G. Wallis of counsel for the plaintiff in error, and Mr. Nicholas P. Bond and Mr. R. D. Morrison, of counsel for the defendant in error, and concluded by Mr. Wallis for the plaintiff in error.

Ohio W. Shepherd
313. vs. Plff. in Error.
The Baltimore & Ohio
Railroad Company.

The argument of this cause was commenced by Mr. John W. Herron, of counsel for the plaintiff in error, and continued by Mr. Hugh L. Bond Jr. of counsel for the defendant in error.

Proclamation being the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 21st, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford,
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ridge Paschal it is ordered that Noah Allen, Esquire, of Wichita, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Velasco J. Case
528 vs. Appellant
Allan C. Mc Arthur et al

Mr. Laurence Maxwell Jr. of counsel for the appellee,

having filed in open Court the following certificate, to wit:

"This is to certify that at the April term 1888 of the Circuit Court of the United States for the Southern District of Ohio, Western Division, to wit: on the 14th day of June 1888, Velasco J. Case duly sued out an appeal and the same was allowed by the Court, from the decree of this Court in the suit in Equity, case numbered 2201 on the docket of said Court, which said decree so appealed from by the said Velasco J. Case was in favor of the complainants in said suit, to wit: Allan C. Mc. Arthur, Adora M. Morris, Effie Jones, Andrew Van Bibber and Andrew Van Bibber, Administrator of Lewis Van Bibber, and of the cross-complainants therein, Thomas M. Anderson, Harry K. Anderson, Mary A. Olds, Charles Anderson, Anna P. Madeira, Mary A Fullerton and John M. Madeira, and against said Velasco J. Case, defendant in said suit, and in favor of and against no other parties

In testimony where of I have hereunto set my hand

(Seal) and affixed the seal of

the said Court at Cincinnati, Ohio, this 18th day of March A. D. 1889.
B. R. Cowen, Clerk
by R. C. George, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 6th rule: and it appearing to the Court that the appellant has failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

529 John Gray ... Mr. Laurence Maxwell Jr. of counsel for the appellee having filed in
to Appellant
Allan C. Mc. Arthur et al.

open Court the following certificate, to wit:

"This is to certify that at the April term 1888 of the Circuit Court of the United States for the Southern District of Ohio, Western Division, to wit: on the 14th day of June 1888, John Gray duly sued out an appeal, and the same was allowed by the Court, from the decree of this Court in the suit in Equity, case numbered 2201 on the docket of said Court, which said decree so appealed from by the said John Gray was in favor of the complainants in said suit, to wit: Wm. G. McArthur, Adora M. Morris, Effie Jones, Andrew Van Bibber and Andrew Van Bibber, Administrator of Susie Van Bibber, and of the cross complainants therein, Thomas M. Anderson, Harry R. Anderson, Mary A. Olds, Charles Anderson, Anna G. Madeira, Mary A. Fullerton and John M. Madeira, and against said John Gray, defendant in said suit, and in favor of and against no other parties.

In Testimony where of I have hereunto set my hand and affixed

{Seal.} the seal of said Court

at Cincinnati. Ohio.
this 18th day of March
A.D. 1889.
S.R. Cowen. Clerk
By R. C. George. Deputy"

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: "in it appearing to the Court that the appd Cant has failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

213. Amos W. Shepherd ..... vs. ..... The Baltimore & Ohio R.R. Co. Pff. in Error

The argument of this cause was continued by Mr. E. J. D.

Cross of counsel for the defendant in error and concluded by Mr. John W. Herron of counsel for the plaintiff in error.

221 The United States vs. Martha Insley et al. Appellant

This cause was argued by Mr. Assist and Attorney General Mairy of counsel for the appellant. No counsel appeared for the appellees.

222 The Iron Silver Mining Co. vs. Peter Campbell et al. Plff. in Error.

The argument of this cause was commenced by Mr. E. O. Wolcott, of counsel for the plaintiff in error, continued by Mr. H. M. Teller, of counsel for the defendants in error, and concluded by Mr. Ashley Pond of counsel for the plaintiff in error.

224 The Central Trust Company vs. Lewis Seasongood, sole survivor etc. Appellant.

The argument of this cause was commenced by Mr.

Laurence Maxwell Jr of counsel for the appellant, and continued by Wm. G. B Matthews, of counsel for the appellee

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March, 22d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

[redacted]

The Chief Justice said:

The Court has received the melancholy intelligence of the death of its beloved member Mr. Justice Matthews in this City at 10 o'clock this morning. No business will therefore be transacted and the Court will adjourn until Tuesday next at twelve o'clock.

[redacted]

Proclamation being made the Court is adjourned

Thursday, March 26th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller, Associate Justice
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

There not being a sufficient number of the Justices present to constitute a quorum

The Court is adjourned until to-morrow at twelve o'clock.

Wednesday. March. 27th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice

John W. Wright. Esquire. Marshal

James H. McKenney. Clerk.

There not being a sufficient number of the Justices present to constitute a quorum,

The Court is adjourned until to morrow at twelve o'clock.

Thursday. March. 28th. 1889

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire. Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks, it is ordered that George L. Graham, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Lewis, it is ordered that Stephen M. White, Esquire, of los An

gelis City, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester H. Krum it is ordered that Seneca N. Taylor, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Black it is ordered that Wells H. Blodgett, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Cox, it is ordered that J. D. White, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Central Trust Company	Ordered by
224	vs. Appellant	the Court
	Lewis Strasburger, adm'r &c.	that this
		cause be

placed at the head of the call for Monday next.

	Erasmus Gest	In Error to the
429	vs. Plff. in Error.	Circuit Court
	The South Covington and	of the United
	Cincinnati Street Rail-	States for the
	way Company.	Southern Dis-
		trict of Ohio.

This cause having been called to the attention of the Court by Mr. George Hoadly of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1429. Erasmus Gest vs. Pltff. in Error. The South Covington & Cincinnati Street Railway Company. On motion of Mr. George Hoadly of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

1460. E. D. Pacetti vs. Appellant Jacob Frey, Marshal of the City Court of Baltimore. Appeal from the Circuit Court of the United States for the District of Maryland.

This cause having been called to the attention of the Court by Mr. George Hoadly, in behalf of counsel, and the authority of the counsel for the appellant to dismiss the cause having been filed. It is, therefore, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1644 E. O. Pacetti vs. Appellant. Asst. Dep. Marshal &c. On motion of Mr. George Hoadly, in behalf of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

5314 Oscar Hugo Webber vs. Deff. in Error The Commonwealth of Pennsylvania. Mr. George S. Graham of counsel for the defendant in error, having filed in open Court, the following certificate, to wit:

"Supreme Court of the State of Pennsylvania.

I, Charles S. Greene, Clerk of the Supreme Court of the State of Pennsylvania, do hereby certify, that on a certain cause in said Court, wherein Oscar Hugo Webber was plaintiff in error and the Commonwealth of Pennsylvania was defendant in error, a final judgment was rendered by said Supreme Court, on the nineteenth day of March, A. D. 1888 in favor of the said defendant in error and against the said

plaintiff in error. Oscar Hugo Webber, and that on the fourteenth day of May A.D. 1888 said Oscar Hugo Webber sued out a writ of error to said Supreme Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I have unto subscribe my name and affix the seal of the said Supreme Court at Philadelphia, this 26th. day of October. A.D. 1888.

{ Seal. }

Charles L. Greene,
Clerk of Supreme Court
by Harold P. Newlin,
Pro. Clerk."

moved the Clerk to docket and dismiss this cause pursuant to the 9th. rule: and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Pennsylvania be, and the same

is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

1113. The Chicago, Milwaukee & St. Paul Railway Co. vs. Pfft. in Error. The State of Minnesota, ex rel. The Railroad & Warehouse Commission of the State of Minnesota.

And

1523. The Minneapolis Eastern Railway Company vs. Pfft. in Error. The State of Minnesota, ex rel. The Railroad & Warehouse Commission.

The motions to advance these cases were submitted to the consideration of the Court on printed arguments by Mr. Moses E. Clapp, Mr. John W. Cary, Mr. W. C. Gouchy and Mr. W. H. Morris in support of the same.

1422. Ant. Miller. vs. Pfft. in Error. Ernst Ammon.

The motion to advance this cause was submitted to the con-

sideration of the Court by Mr. L. J. Blum and Mr. E. J. Blum in support of the same.

The United States
v. Appellee
S. H. Pile.

On motion of Mr. Solicitor General Jenks leave is hereby granted counsel for the defendant to file a supplemental brief herein.

2.36

Chae Chan Ping
v. Appellant.
The United States.

Ordered by the Court that four counsel be allowed to argue this case orally on behalf of the appellee.

1446

Chae Chan Ping
v Appellant
The United States

The argument of this cause was commenced by Mr. George Hoadly, of counsel for the appellant, and continued by Mr. E. A. Johnson. Mr. S. W. White Mr Solicitor General Jenks and Mr. John D. Lamp. of counsel for the appellee and Mr James C. Carter, of counsel for appellant.

1446

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday, March. 29th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Hoadly, it is ordered that Henry B. Mason, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

226. Wallace Douglass. vs. Plff in Error
Charles W. Lewis et al Def

On motion of Mr. John Dalzell, of counsel for the

J. Thrpost Morgan
234. vs. Pff. in Error
Thomas Struthers

plaintiff in error in case No. 234. It is ordered that No. 2341 be substituted for No 226 in the call of the docket and vice versa, per stipulation of counsel.

William L. Abendroth
229. vs. Pff. in Error
Abraham Van Nolan et al.

On motion of Mr. Linden Kent in behalf of counsel, It is ordered by the Court that this cause be passed, subject to the provisions of section 9, rule 26.

Chae Chan Ping
1446 vs. Appellant.
The United States.

The argument of this cause was concluded by Mr. James C. Carter of counsel for the appellant

The Town of Nudeo
225 vs. Pff. in Error.
Albert Hanson:

This cause was argued by Mr. Isaac H. Wayland of counsel for the plaintiff in error, and Mr. John B. Gleason, of counsel for the defendant in error.

Friday, March. 29th. 1889. Continued

	J. Burpee Morgan	This cause was
234	vs. Pff. in Error	argued by Mr.
	Thomas Struthers.	John Dalzell, of
		counsel for the

plaintiff in error, and Mr. George Shiras Jr. of counsel for the defendant in error

	The American National	Appeal from the
	Bank of Nashville	Circuit Court of
228	vs. Appellant.	the United States
	The Mayor &c. City Coun-	for the Middle Dis
	cil of Nashville.	trict of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, &c. &c. thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, April, 1st. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Edward P. Johnes, Esquire, of New York City, N. C. H. Robinson, Esquire of Washington, District of Columbia, and Joseph W. Taylor, Esquire, of Leadville, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. B. Lancaster it is ordered that Patrick O'Farrell, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. M. B. Burns it is ordered that Rowland Clay Burns, Esquire, of Catlettsburg, State of Kentucky, and Marion Erwin, Esquire, of Macon, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Parley's Park Silver Mining Company.	Appeal from the Supreme Court of
54 vs. Appellant	the Territory of
John W. Kerr.	Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was

argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Isaac S. Lyon. Appeal from the Supreme
1149. vs Appellant. Court of the District
John B. Alley. of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Lamar.

Catharine A. Metcalfe, Mary E. Noble et al. v. The Steamship "Alaska." her engines etc. Lady D.E. Pearce, Sir William George Pearce, James Robertson and Richard Barnwell, Executors of William Pearce, deceased — Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Blatchford.

193 Nelson Williamson, Collector of the Township of North Brunswick. vs The State of New Jersey, use of the Mayor and Common Council of the City of New Brunswick. — In Error to the Supreme Court of the State of New Jersey. Plff. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. per Mr. Justice Bradley.

1279. John W. Davis and Robert K. Davis, vs Charles E. Miller and Daniel G. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York. Plffs. in Error

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Robert L. Stevens
vs.
William Nichols

In Error to the Circuit Court of the United States for the Western District of Missouri.

190

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed, costs in this Court and in the Court below to be paid by the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the case to the State Court.

per Mr. Justice Harlan.

Fred B. Smith, W. J. Stone & G. Walker, Horace Barnard & C. W. Smith, County Commissioners. Appeal from the Supreme Court of the Territory of Dakota.

11498. vs. Appellants

John E. Adams.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and on motion to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Justice Field.

Lizzie Butler & Anna J. Voorhies ... Pffs. in Error ... vs. ... Hattie L. Travers, Margaret Wright, William P. Timms and Alice Shoemaker. ... In Error to the Supreme Court of the State of California.

341.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs per Mr. Justice Field.

Brigido Bottiler, P. Bottiler, P. Bottiler A. M. Vasquez, M. Lamorie et al. ... Pffs. in Error ... vs. ... Dominga Dominguez. ... In Error to the Supreme Court of the State of California.

1870.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

Elon A. Marsh et al. Appellants
vs.
Nichols, Shepard and Co.

No. 95.

And

Nichols, Shepard and Co. Appellants
vs.
Elon A. Marsh et al.

On consideration of the motion for a relaxation of costs in these cases, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the amount advanced by Nichols, Shepard and Co. towards printing the transcript of the record, be recoverable by it from Elon A. Marsh et al, as part of the

taxable costs on the appeal of said Marshal.
per Mr. Chief Justice Fuller.

George G. Dent et al.		On consideration
269	to Appellants	of the motion for
Isaac A. Ferguson et al.		leave to furnish

15 copies of the record, as already printed, and for a remission of the Clerk's fees for superintending the printing, It is now here ordered by the Court that upon the appellants filing 15 copies of the record, as already printed, and making payment of $100.00 for cost of additional printing required, that the balance of the estimated cost be remitted
per Mr. Chief Justice Fuller.

The United States		On consideration
1483	to Appellant	of the motion
The Missouri, Kansas and		to advance this
Texas Railway Company		cause, It is now

here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice to its renewal at the next Term.
per Mr. Chief Justice Fuller.

Charles B. Cross et al. vs. Plffs. in Error. The State of North Carolina. 1179

On consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term. per Mr. Chief Justice Fuller

The Chicago, Milwaukee & St. Paul Railway Company. vs. Plff. in Error. The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota. 1113.

And

The Minneapolis Eastern Railway Co. vs. Plff. in Error The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota. 1523

On consideration of the motions to advance these cases. It is now here ordered by the Court that said motions be, & the same are hereby,

dismissed without prejudice to their renewal at the next term.

per Mr. Chief Justice Fuller

Ant Muller
429 vs. Pff. in Error.
Ernst Ammon.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Iron Silver Mining Co
222 vs. Pff. in Error.
Peter Campbell et al.

It is ordered by the Court that this cause be, and the same is hereby restored to the docket for re-argument before a full bench

per Mr. Chief Justice Fuller

The Baltimore & Potomac
Railroad Company.
175 vs. Pff. in Error.
Rhodam A. Hopkins.

On Error to the Supreme Court of the District of Columbia.

Monday, April 1st, 1889. Continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

The District of Columbia — In Error to the Supreme Court of the District of Columbia
vs — Pff. in Error
Laurence E. Gannon. — No. 182

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

The District of Columbia		In Error to the
83.	vs.	Supreme Court of
Clinton H. Emerson.	Plff. in Error	the District of
		Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction per Mr. Chief Justice Fuller.

——Order——

The Reporter having represented that, owing to the number of decisions at the term, it will be impracticable to put the reports in one volume, It is therefore, now here ordered that he publish an additional volume in this year, pursuant to Section 681 of the Revised Statutes.

O. S. Badger. Collector etc
179 vs. Pff. in Error
O. Guinnane & Company.

On motion of Mr Assistant Attorney General Maury, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States
1425 vs. Appellants.
Tyler Davis
et al

The United States
1426 vs. Appellants.
Henry Schofield.

The motions to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr B. B. Lancaster, in support of the same, and leave was granted counsel for the appellants to file printed arguments in opposition thereto within two weeks.

E. A. Wilde
1364 vs. Pff. in Error
David Bircher et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr J. K. Mc Gowan et

Mr. E. C. Gash, in support of the same; for Mr. C. W. Hughes and Mr. J. W. Taylor in opposition thereto.

David S. Terry et ux. vs. Appellants. / C. W. Sharon, Executor, etc. — On motion of Mr. Samuel Shellabarger, of counsel for the appellants, leave is hereby granted him to withdraw from the files the brief filed in opposition to the motion to dismiss herein.

462

The Baltimore & Potomac Railroad Company vs. Appellant / Linden Kent, & James Lowndes Administrators of John T. Graney, deceased. — Appeal from the Supreme Court of the District of Columbia.

174

The cause having been called to the attention of the Court by Mr. William A. McKenney in behalf of counsel for the appellant, and a stipulation to dismiss the cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged

and decreed by the Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Henry M. Hale & Georgiana L. Schell, Executors &c. vs. Pffs. in Error
552. Stephen Akers et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Frank W. Hackett, in support of the same, and the plaintiffs in error in opposition thereto.

The Chateaugay Ore & Iron Co. vs. Pffs. in Error.
1245. Theodore A. Blake.

Mr. Frank E. Smith of counsel for the plaintiff in error suggested a diminution of the record and moved for a writ of certiorari in this cause. Whereupon it is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded as prayed.

Edward K. Morris Receiver of The First National Bank of Buffalo.

798. ..... vs. ..... Appellant.

Edward L. Harding et al

Mr. W. Hallett Phillips of counsel for the appellant suggested the resignation of Edward K. Morris and the appointment of Albert B. Briggs as Receiver of the First National Bank of Buffalo, and moved the Court to make the said Albert B. Briggs, as such Receiver, the party appellant in this cause. Whereupon, It is now here ordered by the Court that Albert B. Briggs, Receiver of the First National Bank of Buffalo, be and he is hereby made the party appellant in this cause.

The Central Trust Company

224. ..... vs. ..... Appellant.

Lewis Seasongood, Receiver &c.

The argument of this cause was continued by Mr. B. B. Mathews and Mr. E. A. Jordan of counsel for the appellee, and concluded by Mr. Lawrence Maxwell Jr. of counsel for the appellant

George O. Hulin et al
330 vs Plffs in Error.
The Kaw Valley Railway
& Improvement Co.

The argument of this cause was commenced by Mr Eppa Hunton of counsel for the plaintiffs in error

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. April, 2d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. C. Spooner it is ordered that Moses Hooper, Esquire, of Oshkosh, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered

that Charles Henry Drew Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Hans Nielsen. Appellant.

1527

Mr. G. L. Richards of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause. Whereupon it is now here ordered by the Court that the said motion be, and the same is hereby, granted and the cause assigned for argument on Thursday the 18th instant.

George D. Hulling et al vs. Pltffs. in Error

230

The New Valley Railway & Improvement Company.

The argument of this cause was concluded by Mr. Epa Hunton, of counsel for the plaintiffs in error, and the cause was submitted on printed arguments by Mr. Wallace Pratt and Mr. George L. McCary, of counsel for the defendant in error.

	The Iron Silver Mining Co.	It is ordered by
31	vs. Pff. in Error	the Court that
	The Mike & Starr Gold &	these cases be
	Silver Mining Company	argued before
	and	a full bench
	The Iron Silver Mining Co.	with case
32	vs. Pff. in Error	No. 222
	The Mike & Starr Gold &	
	Silver Mining Company	

	Alexander B. McKinley	This cause was ar
233.	vs. Pff. in Error	gued by Mr. William
	Jerome B. Wheeler et al.	A Maury, of counsel
		for the plaintiff in

error, and Mr. T. W. Patterson, of counsel for the defendants in error.

	William L. Hassall Trustee	The argument of
68	vs. Appellant.	this cause was
	A. W. Wilcox.	commenced by
		Mr. Silas W

Pettit, of counsel for the appellant.

Proclamation being made the Court is adjourned until To-Morrow at twelve o'clock.

Wednesday. April. 3rd. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller. ——
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph Christian it is ordered that James M. Matthews, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

687 The State of North Carolina et al. vs. Alfred A. Temple — Appellants. — Mr. S. G. Phillips of counsel for the

appellee, submitted to the consideration of the Court a motion for leave to argue this case at the present term.

William L. Hassall, Trustee
68 vs. Appellant
A. W. Wilcox.

The argument of this cause was continued by Mr. Silas W. Pettit of counsel for the appellant, & Mr. W. Hallett Phillips of counsel for appellee and concluded by Mr. Pettit for the appellant.

Wallace Douglass
226. vs. Plff. in Error
Charles W. Lewis et ux.

This cause was argued by Mr. J. H. McGowan of counsel for the Plaintiff in error, and Mr. Samuel Shellabarger, of counsel for the defendants in error.

G. W. Embrey
235. vs. Plff. in Error
E. S. Jennison.

The argument of this cause was commenced by Mr. James W. Walker of counsel for the plaintiff in error

Cross arguments being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, April 4th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis, it is ordered that Erwin N. York, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. V. White it is ordered that

Arthur C. Macklay Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Assistant Attorney General Maury it is ordered that Oliver P. Buel, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

225 The Winona & St. Peter R R Co vs. The Town of Plaumeux — Pltff. in Error

And

226 The Winona & St. Peter R.R. Co. vs. The Town of Elgin. — Pltff. in Error

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. C. K. Davis & Mr. G. B. Kellogg, in support of the same, and Mr. Thomas Wilson, in opposition thereto.

	J. W. Embrey.	The argument of this
235	vs. Pff. in Error	cause was continued
	E. S. Jemison.	by Mr. James M.
		Matthews, of counsel

for the plaintiff in error, and Mr. Henry M. Herman of counsel for the defendant in error and concluded by Mr. Joseph Christian of counsel for the plaintiff in error.

	L. Friedlander and Co	The argument
236	vs. Pff. in Error.	of this cause
	The Texas & Pacific Railway Co.	was commenced by Mr. A.

J. Lafford of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 5th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds, it is ordered that G. W. Pickle, Esquire, of Dandridge, State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes it is or-

dered that James B. Howe, Esquire, of Beaufort, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Clarence P. Hunt. vs. Appellant. Sallie S. Blackburn et al.

16. Mr. W. S. Flippen of counsel for the appellant, submitted to the consideration of the Court a motion to make the decree entered herein by this Court on November 26, 1888, absolute, pursuant to the order entered herein on January 28th, 1889.

J. Brisbander and Co. vs. Plffs. in Error. The Texas and Pacific Railway Co.

286. The argument of this cause was continued by Mr. A. G. Safford, of counsel for the plaintiffs in error, and Mr. Winston L. Pierce of counsel for the defendant in error, and concluded by Mr. Safford for the plaintiffs in error.

The Memphis & Little Rock Railroad Company (As re-organized)

237. vs. Appellant.

John Custer & Trustee, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas

This cause being called for hearing in its regular, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with cost

per Mr. Chief Justice Fuller

William K. Thompson et al.

238. vs. Appellants.

The White Water Valley Railroad Company et al.

The argument of this cause was commenced by Mr. C. B. Matthews of counsel for the appellants, and continued by Mr. W. H. H. Miller of counsel for the appellees. Further argument was suspended for the present and leave granted

counsel for the appellants to file a motion to amend the citation in this case.

The Michigan Insurance Bank ..... vs. ..... Plff. in Error. Anson Eldred .....

239.

The argument of this cause was commenced by Mr. George P. Miller, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April, 8th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray
Samuel Blatchford
Lucius L. C. Lamar
John W. Wright, Esquire Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis, it is ordered that John W. Taylor, Esquire of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Miller it is ordered

that B. K. Miller jr. Esquire of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stevenson Burke it is ordered that Myron A. Norris, Esquire, of Youngstown State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas G. Wilson, it is ordered that Harry S. Jeffords, Esquire, of Tucson, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Goodwin, it is ordered that Eugene P. Carver, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Manhattan Bank
of Memphis, Tennessee
205 vs Appellant.
Eliza Walker.
and
Eliza Walker Appellant
682 vs.
The Manhattan Bank
of Memphis, Tennessee.

Appeals from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed, costs in this Court and in the Circuit Court to be paid by The Manhattan Bank of Memphis, Tennessee: and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to enter a decree in favor of

the plaintiff, not only for the amount of the Goldsmith note, namely, $5000.00, with interest from November 1, 1881, but also for the proper value of the $5200 of bonds with proper interest, such value and interest to be ascertained by the Circuit Court.

per Mr. Justice Blatchford.

The United States		Appeal from the
221	vs. Appellant	Circuit Court of
Martha Insley. (formerly		the United States
Martha Palmer), Laura		for the District
Yuelich (formerly Laura		of Kansas.
Palmer) et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a

direction to take such further proceedings as may be according to law and not inconsistent with the opinion of this Court

per Mr. Justice Blatchford

(Mr. Justice Field did not sit in this case or take any part in its decision)

R. L. Brock & L. P. McKenzie co-partners as R. L. Brock & Company	Plffs. in Error	In Error to the Circuit Court of the United States for the Northern District of Iowa.
310. vs		
The Northwestern Fuel Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby,

remanded to the said Circuit Court for further proceedings in accordance with law.

per Mr. Justice Harlan.

213 Amos W. Shepherd, Pff. in Error, v. The Baltimore & Ohio Railroad Company. In Error to the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

Henry Amy & Gustavus Hoffenstedt.		In Error to Circuit Court of the United States for the Western District of Wisconsin.
196	vs. Plffs. in Error.	
The City of Watertown.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the order of the said Circuit Court entered on the 16th. day of May A.D. 1884, setting aside the judgment of the Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Henry Amy & Gustavus Hoffenstedt.		In Error to the Circuit Court of the United States for the Western District of Wisconsin.
197	vs. Plffs. in Error.	
The City of Watertown.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

per Mr. Justice Bradley.

Edwin E. Knowlton, individually and as Executor of Elijah W. Carpenter, deceased		In Error to the Circuit Court of the United States for
198. vs.	Plff. in Error.	the Western Dis-
The City of Watertown.		trict of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, af-

affirmed with costs.

per Mr. Justice Bradley.

Edwin P. Hoverson, individually and as Executor of Elijah W. Carpenter, deceased. Plff. in Error

vs.

The City of Watertown.

In Error to the Circuit Court of the United States for the Western District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Rufus P. Spalding, Samuel H. Allen, Edwin D. Dexter, Bennett S. Allen & Herman L. Coffin, Executors of William L. Pierson, decd. vs. The City of Waterloo

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In Error to the Circuit Court of the United States for the Western District of Wisconsin

Plffs. in Error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Bradley.

Rufus P. Spalding, Samuel H. Allen, Edwin D. Dexter, Bennett S. Allen & Herman L. Coffin, Executors of William L. Pierson, decd. vs. The City of Waterloo.

201

In Error to the Circuit Court of the United States for the Western District of Wisconsin.

Plffs. in Error

xiii.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

207 Auge O. Hammer. Plff. in Error vs. The Garfield Mining Co. Milling Company. In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

206 The United States vs. Plaintiff
S. H. Pile. } On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed out of this Court for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the said Circuit Court.

per Mr. Justice Miller.

The City of Clay Center, Kansas
1517. vs. Appellant.
The Farmers Loan & Trust Co.

It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed until the hearing of the case on its merits

per Mr. Chief Justice Fuller

Henry W. Hale & Georgiana L. Schell, Executors, etc
552. vs. Plffs. in Error
Stephen Akers et al.

On consideration of the motion to dismiss in the cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court, that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

G. A. Wilde.
1364 vs. Plff. in Error.
David Bircher et al

On consideration of the motion to dismiss in this cause and of the argument

of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court, that a commission issue to such person as may be agreed upon by the parties, or failing such agreement within fifteen days, to a commissioner then to be designated by the Court, to take proof upon the matters involved, upon due notice and opportunity for cross-examination, the same to be returned to this Court with all convenient speed.

per Mr. Chief Justice Fuller.

The Winona & St. Peter R.R. Co. Pff. in Error.
1225 vs.
The Town of Plainview

and

The Winona & St. Peter R.R. Co. Pff. in Error.
1226 vs.
The Town of Elgin.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in said above entitled cases respectively be, and the same is hereby, postponed until the hearing of the cases on their merits.

per Mr. Chief Justice Fuller.

William D. Thompson et al. vs. The White Water Valley Rail road Company et al. Appellants

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It is now here ordered by the Court that a citation issue returnable on the first day of the next term of this Court, to the White Water Valley Railroad Company, as one of the appellees in this cause.

per Mr. Chief Justice Fuller.

Edward H. Reynes, sole surviving assignee of Charles Cavaroc & Son, bankrupts. Appellant

vs.

Frederic Dumont, August Henry Renie, Jean David Wocket, and Charles M. Fry, Trustee in bankruptcy of Schuchardt and Sons.

and

Frederic Dumont, August Henry Renie & Jean David Wocket. Appellants.

vs.

Charles M. Fry, Trustee in bankruptcy of Schuchardt & Sons & Edward H. Reynes, sole surviving assignee of Charles Cavaroc & Son, bankrupts.

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Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same are hereby, reversed; costs in this Court and in the Circuit Court to be paid by Charles W. Fry, Trustee: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

Clarence P. Hunt
vs. Appellant
Sallie L. Blackburn, Charles P. Blackburn and W. P. Smith.

Mr. W. L. Pippin, of counsel for the appellant, moved the Court in pursuance of the order entered herein on the 28th. day of January, 1889, to make the decree entered by this Court in this cause on the 26th. day of November, 1888, absolute against the sure and

representatives of Sallie S. Blackburn, deceased, one of the appellees herein. On consideration whereof, it appearing to the Court from the papers on file that the terms of said order in regard to the publication thereof have been complied with, but that the heirs and representatives of the said Sallie S. Blackburn have failed to appear and become parties to this cause as therein provided,

It is now here ordered, adjudged and decreed by this Court that said decree be, and the same is hereby, made absolute against the heirs and representatives of the said Sallie S. Blackburn, deceased.

per Mr. Chief Justice Fuller.

9444 Morris S. Miller vs. Pff. in Error. Alfred P. Edgerton et al, U.S. Civil Service Commissioners

Mr. Morris S. Miller, the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause, or to hear the petition of right here in as an original motion.

	H. Fitzgerald, Sergeant etc	Mr. R. A. Ayres
1530	vs. Appellant.	of counsel for the
	Charles Crew	appellants, sub-
	and	mitted to the
	W. L. Thomas, Sergeant etc	consideration
1531	vs. Appellant	of the Court —
	Wilson Lowry.	motions to ad-
		vance these cases

	The Minneapolis & St. Louis	The motion to
	Railway Company	dismiss in this
1427	vs. Plff. in Error	cause was sub-
	The State of Minnesota & rel.	mitted to the
	The City of Minneapolis.	consideration of

the Court on an agreed record and printed arguments by Mr. R. D. Russell, in support of the same, and Mr. J. D. Springer, in opposition thereto.

	David S. Terry et ux.	The motions to dis-
1462	vs. Appellants	miss or affirm in
	W. W. Sharon, Executor etc.	this cause were sub-

mitted to the consid- eration of the Court on the record and print- ed arguments by Mr. S. M. Wilson and Mr.

Henry E. Davis, in support of the same and Mr. Samuel Shellabarger and Mr. J. W. Wilson, in opposition thereto.

182. The District of Columbia vs. Peff. in Error. Lawrence E. Cameron. And

183. The District of Columbia vs. Peff. in Error Clinton H. Emerson.

On motion of Mr. S. S. Henkle, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

169. Peter L. Kimberly vs. Appellant. Charles C. Arms et al.

Mr. Stevenson Burke of counsel for appellees submitted to the consideration of the Court a motion to amend the decree and mandate in this cause.

181. Benjamin Richardson and Henry Day — Appellants vs. Asbel Green and Wm. Bond, Trustees et al.

Mr. Ruane E. Fox, of counsel for the appellants, suggested the

death of Benjamin Richardson, one of the appellants herein, and moved the Court to make William T. Washburn, Executor, and Emma Richardson, Executrix of the said Benjamin Richardson, parties appellants: Whereupon, It is now here ordered by the Court that the said William T. Washburn, Executor, and Emma Richardson, Executrix of Benjamin Richardson, deceased, be, and they are hereby, made parties appellants in this cause.

239 The Michigan Insurance Bank vs. Peff. in Error. Olson Eldred. The argument of this cause was continued by Mr. Alfred L. Cary, of counsel for the defendant in error, and concluded by Mr. George P. Miller, of counsel for the plaintiff in error.

1034 The United States vs. Plaintiff John D. Hall. The argument of this cause was commenced by Mr. Solicitor General Jenks of counsel for the plaintiff and continued by

Mr. Frank Hurd and Mr. Walter M. Smith of counsel for the defendant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 7th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Stewart it is ordered that H. F. Barlow, Esquire, of Carson City, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered

that Silas Wodell, Esquire, of Poughkeepsie, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. William G. Sibas, it is ordered that William J. McGee, Esquire, of Marshall, State of Michigan, J. W. Wells, Esquire, of Albany, State of Missouri, and James F. Parker, Esquire, of Tipton, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

266. William J. Hawkins vs. Jeff. in Error. John C. Eam, Trustee etc. On motion of Mr. S. F. Phillips, of counsel for the plaintiff in error leave is hereby granted Mr. Wilbur F. Boyle to file a printed brief in this cause on behalf of certain parties interested in the decision of this cause.

	The United States	The argument of this
1034	vs. Plaintiff	cause was continued
	John O. Hall.	by Mr. Walter H. Smith

of counsel for the defendant, and concluded by Mr. Solicitor General Jenks of counsel for the plaintiff.

	The United States	The argument of this
1035	vs. Plaintiff	case was commenced
	George H. Perrin et al.	by Mr. Solicitor Gen-

eral Jenks, of counsel for the plaintiff. Whereupon the Court not desiring further argument, for the present the argument is suspended & the case passed.

	The United States	The Court not desiring
1036	vs. Plaintiff	to hear argument in
	M. G. Reilly.	this case at present, It

is ordered by the Court that this cause be, and the same is hereby, passed.

	The United States Mutual	This cause was
	Accident Association	argued by Mr. B.
240	vs. Plff in Error	R. Miller Jr. of
	Theresa A. Barry.	counsel for the

plaintiff in error, and Mr William G. Hibbs of counsel for the defendant in error.

Herbert G. Mackinney
242 vs. Plff. in Error
Jacob Rosenbaud and
Berkhard Rosenbaud.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error, in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Edward M. Stickney et al.
243 vs. Appellants
Jeannie K. Stickney.

The argument of this cause was commenced by Mr. S. S. Henkle of counsel for the appellants.

Proclamation being made the Court is ad-

Wednesday, April, 10th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. D. H. Mc. Millan it is ordered that George T. Quinby, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

243 Edward M. Stickney et al. vs. Appellants. Jeannie K. Stickney.

The argument of this cause was continued by Mr. S. S. Henkle, of counsel for the appellants, and concluded by Mr. John Selden, of counsel for the appellee.

244 John Haskell Butler, Administrator etc. et al. vs. Appellants. The Boston & Savannah Steamship Company.

340 And John Haskell Butler, Administrator etc. et al. vs. Appellants. The Boston & Savannah Steamship Company.

The argument of these cases was commenced by Mr. Eugene P. Carver, of counsel for the appellants, and continued by Mr. Charles Theodore Russell, Jr. of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, April, 11th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas McDougall it is ordered that J. C. Harper, Esquire, of Cincinnati, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Morris it is ordered that Harry E. Knight, Esquire, of Washington, Dis

trict of Columbia and Eugene Stockwell, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

244 John Haskell Butler, Peter Hoelat vs. Appellants
The Boston & Savannah Steamship Company.
And
340 John Haskell Butler, Peter Hoelat vs. Appellants.
The Boston & Savannah Steamship Company.

The argument of these cases was continued by Mr. Charles Theodore Russell Esq. of counsel for the appellees & was concluded by Mr. Frank Goodwin of counsel for the appellants.

246 Jesse B. Wilson, Receiver etc vs. Appellants
James B. Edmonds.

The argument of this cause was commenced by Mr. W. Willoughby, of counsel for the appellants, and continued by Mr. Wallace and Wilson of counsel for the appellee, and Mr. Enoch Totten of counsel for the appellant

Proclamation being made the Court is adjourned

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. M. Dolph it is ordered that C. A. Dolph, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Adams it is ordered that John Woodbridge, Esquire, of Chicago,

State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jesse B Wilson, Receiver &c
vs. Appellant.
James B. Edwards

The argument of this cause was concluded by Mr. Enoch Totten of counsel for appellant.

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P. P. Pickard, Comptroller General etc
vs. Appellant.
The East Tennessee, Virginia & Georgia Railroad Company.

This cause was argued by Mr. George W. Pickle of counsel for the appellant and Mr. William M. Baxter of counsel for the appellee.

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William P. Abendroth
vs. Pff. in Error.
Abraham Van Nolsen et al.

The argument of this cause was commenced by Mr. William H. Arnoux of counsel for the plaintiff in error.

[redacted]

Mr. Attorney General Miller addressed the Court as follows:

May it please the Court,

On the 13th of March last John Archibald Campbell, a very distinguished lawyer and an ex-Justice of this Court departed this life.

For fifty years, a full half of the life time of the Government, this eminent man has been intimately and conspicuously associated with the interpretations of the laws of the land, and the administration of justice

Now is the length of Judge Campbell's professional career its only striking feature. The manner of his coming to the bar was unusual.

In the first year of the first term of President Jackson, by a special act of the legislature of Georgia, his native State. Mr. Campbell, with Robert Toombs, and three or four others, were "admitted to practice law and equity" in that State.

Removing to the city of Montgomery, he at once took the same rank at the Bar which he had maintained in school and

college, among the foremost: and at the age of thirty, he had no superior at the Bar of Alabama.

At forty-two he was appointed, and was worthy to be appointed, Associate Justice of this Court. Not one of the learned and eminent jurists who sat with him here on the Bench or in the consultation room now remains to bear witness to his virtues or his talents: but the opinions he wrote, found in Howard's Reports, Volumes 15 to 21 inclusive, testify, and will testify, so long as American jurisprudence shall last, of his industry, his great abilities and profound learning.

A disciple, an admirer and a friend of Mr. Calhoun, in 1861 Judge Campbell followed, though it is believed reluctantly, followed, the teachings of the apostle of State Sovereignty to their logical results.

Since the War he has easily maintained a place at the Bar, and as a writer and publicist, among the most eminent of the land.

Having no personal acquaintance with

Judge Campbell, it is not fitting that I should speak of his private life & personal character.

Fully appreciating his great and good qualities, both of head and heart, the members of this Bar, on the 6th. instant, adopted resolutions expressive of our sentiments on the melancholy occasion of his death.

These resolutions are as follows:

The Bar of the Supreme Court of the United States have assembled for the purpose of giving expression to their sense of the loss which they, in common with the whole country, have sustained in the death of John Archibald Campbell.

It is but just to his memory to say, that he was a jurist of extensive and varied learning, in the common law and civil law as well, and accustomed to resort to the great sources of jurisprudence, which are the school we are told, where proficiency can best be acquired in the difficult art of applying the abstract principles of the law to actual cases. His learning in Constitutional law, and in international law, and his large acquaintance with the political his-

tory of the country, added to his varied learning in general history and literature, fitted him admirably to sit in the Supreme Court of the United States, where, for nearly eight years, he was an honored & influential associate.

Therefore be it resolved:

1. That the Bar of the Supreme Court of the United States do hereby attest their admiration and appreciation of the great career of John Archibald Campbell as a leading practicing lawyer, and as a Judge of the first rank, and do hereby commemorate his many public and private virtues, and that modesty and simplicity which were the chaste setting of his great intellect and learning.
2. That we tender the family of the deceased our sympathy, and that the chairman be, and he is hereby, requested to send them a copy of these proceedings
3. That the chairman be, and he is hereby, requested to transmit a copy of these proceedings to the Attorney General of the United States, with the request to present the same to the Supreme Court

of the United States for such action as may be deemed proper.

May it please the Court:

I move that these resolutions be incorporated in your record as permanent evidence of the high estimation in which Judge Campbell was held by the brethern of the Bar.

The Chief Justice responded as follows:

The Court recognizes in the decease of Mr Justice Campbell, the departure of an eminent citizen, who through his power of intellect, profound learning and unremitting diligence, coupled with integrity of mind and sincere love of justice, deservedly achieved high reputation as a jurist and reflected correspondingly credit upon this bench during the years he adorned it.

His accession here had been preceded, as his regretted retirement was followed, by distinguished service in the legal profession.

It is proper that marks of respect should be shown to his memory, now that in the fullness of years, he has peacefully fallen asleep.

"Men must endure.

Their going hence, even as their coming hither

"Ripeness is all.

The remarks of the Attorney General and the resolutions will be spread upon the record.

[redacted]

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, April, 15th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Herbert S. Dickson it is ordered that Andrew McKinley Jr. Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is or-

dered that A. G. Patterson, Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. A. H. Garland it is ordered that O. L. Brumback, Esquire, of Colorado State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Carlisle Norwood Jr. it is ordered that Noah B. Rogers, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

204. The New York & Colorado Mining Syndicate and Company vs. David R. Fraser, Thomas Grahamers, William J. Chalmers and Norman D. Fraser

Pltff. in Error.

In Error to the Circuit Court of the United States for the District of Colorado

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Lamar.

The United States, Appellant. vs. Oscar J. Averill, Monroe Salisbury, Aaron Lyon & George P. Prescott. Appeal from the Supreme Court of the Territory of Utah.

23

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court

in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Supreme Court with a direction to reverse the judgment of the Third judicial district court of the Territory of Utah, dismissing the complaint, and to take such further proceedings as may be conformable to law and not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller was not a member of the Court when this case was argued and took no part in its decision).

The Town of Andes. In Error to the Cir-
225. vs. Plff. in Error. cuit Court of the
Albert Hanson. United States for
the Northern Dis-
trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Gray.

207 The Stilwell & Bierce Manufacturing Company vs. Plff. in Error Amos Phelps. In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	The Central Trust Company of New York.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.
224.	vs. Appellant	
	Lewis Seasongood, sole survivor of J. and L. Seasongood, and B. G. Stall.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	William H. Robertson, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.
446	vs. Plff. in Error.	
	Louis A. Salomon and Charles Salomon.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to order a new trial.

per Mr. Justice Bradley.

Ex parte: In the matter of Yow-shay-ee. . . . . Petitioner

7. Original

On petition for a writ of habeas corpus.

On consideration of the petition in this case, and of the argument of counsel thereupon had, as well in support of as against the same

It is now here ordered by the Court that a writ of habeas corpus be, and the same is hereby, awarded as prayed.

per Mr. Justice Miller.

Ex-parte: In the matter of Captain Jack
8. Original ——— Petitioner

On petition for a writ of habeas corpus

On consideration of the petition in this case, and of the argument of counsel thereupon had, as well in support of as against the same

It is now here ordered by the Court that a writ of habeas corpus be, and the same is hereby, awarded as prayed.

per Mr. Justice Miller.

Morris S. Miller
944. vs. Pff. in Error
Alfred P. Edgerton et al.
U.S. Civil Service Commissioners.

On consideration of the motions to advance, or to hear the petition of right herein as an original case in this Court, It is now here ordered by the Court, that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller

	The Minneapolis & St. Louis Railway Company	It is ordered by the Court
1427	vs. Pff. in Error	that the further consideration
	The State of Minnesota ex rel: The City of Minneapolis	of the motion to dismiss in this case be, and the same is hereby,

postponed until the hearing of the case on its merits.

per Mr. Chief Justice Fuller.

	F. Fitzgerald, Sergeant &c	On consideration
1530	vs. Appellant.	of the motions to
	Charles Green	advance this case,
	And	It is now here or-
	W. L. Thomas, Sergeant &c	dered by the Court
1531	vs. Appellant.	that said motions
	Wilson Lowry.	be, and the same

are hereby, granted, and the cases assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

The State of North Carolina et al
687 vs. Appellants
Alfred A. Temple.

On consideration of the motion for leave to argue this cause at the present term. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller

William W. Gibbs
220 vs. Plff. in Error
The Consolidated Gas Company of Baltimore City.

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

	J. Friedlander, Herman Leopold and Henry Marcuse, composing the firm of J. Friedlander & Company,	In Error to the Circuit Court
236	v.	of the United States for the
	The Texas and Pacific Railway Company.	Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

659 Adam Badeau, Appellant, v. The United States
749 The United States, Appellant, v. Adam Badeau.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross appeals, and was argued

by counsel. On consideration thereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Miller.

[redacted]

Mr. Attorney General Miller addressed the Court as follows:

May it please the Court:

At a meeting of the Bar of this Court, on the 6th instant, resolutions were adopted touching the death of the late Justice Matthews. These resolutions, as the representative of the Department of Justice, of which Mr. Justice Matthews both at the Bar and on the Bench, was so conspicuous an ornament, I was directed to present to this Court.

I beg leave to read the following:

Resolved:

That the Bar of the Supreme Court

of the United States deeply deplores the decease of the late Mr. Justice Matthews, whereby the Country has lost an always patriotic and respected citizen, alike eminent in his private and public career, the Bar one of its long time leaders, conspicuous as an example of the best relations of our profession with the administration of justice, and the Court itself a member fitted by character, temperament, learning and industry to the place he held in the highest judicial tribunal of a great Nation. His name is rightly enrolled among those honored by their country now.

Resolved:

That the Bar present to the family of the departed Justice its sincere sympathy and condolence in their bereavement.

Resolved:

That the Attorney General be requested to present these resolutions to the Court for such consideration as may be fit.

Resolved:

That the Chairman be requested to transmit a copy hereof to Mrs Matthews.

May it please the Court.

In this august presence all human visitors stand uncovered and bow with reverence. But now and again your precincts are invaded by the Herald of a Power which knows no rank or dignity, in whose Court magistrate and private citizen, jurist and rustic are upon a plane of absolute equality.

Answering the summons of this Power, your eminent associate, a worthy successor of the long line of illustrious men whose virtues and learning have adorned this great tribunal, has gone to that country whose mystery, so far as human effort is concerned, is no nearer solution than when, in the childhood of the race, Death snatched a brother's life by a brother's hand, or when the Poet King bewailing his child said, "I shall go to him but he shall not return to me." We mourn the departure of your associate, our brother, not for his own, but for the Country's sake. True, his life has gone out when at the zenith of its brightness.

While not a young man Justice Matthews was upheld by a spirit so buoyant mastered difficult questions, and wrote great decisions so easily, that no one thought of him as old in years.

It is the dull unmerciful day which drags and seems long. The day or the life full of great thoughts crystalizing into great deeds seems always too short.

Even the pagan had a better measure of life than years.

Seneca says: "We must not care for length of life, but for life sufficient for its duties. Life is long if it is full: but it is full when the soul hath completed its development and hath shown all its latent powers."

Measured by this standard the life we mourn, had no further need of years on earth.

For ourselves and the Country we regret that we could not have the benefit of further exertions of his splendid powers: but for himself his life was full.

He has gone over to the majority: to the majority of the great and good of all time: to the majority of the associates of his early

life: that period in which most lasting attachments are formed: to the majority of his own kindred: to the majority, I had almost said, of those who as associates attended to him the hand of welcome when he first took his seat as a Justice of this Court.

My personal acquaintance with Justice Matthews was slight. While he was at the Bar I occasionally met him, but only as a young man at the Bar meets a great lawyer: since he has been upon the Bench I have only seen him in the discharge of his high duties. Of his personality, therefore, it does not become me to speak.

Nor is this the time, or am I the person to indulge in extended eulogy on his career and character. Others better fitted by intimate personal and professional associations and by gifts of speech, have already performed this pleasing duty. This much, however, I may say in the way of characterization. The mind of Stanley Matthews seemed to me to be deeply original. He pioneered. He studies principles more than precedents: he sur-

royed the field of jurisprudence with the eye of a statesman as well as lawyer: he took his direction in the law by the compass and stars rather than by uncertain foot prints or marks on the trees blazed by his predecessors.

In conclusion I ask that the resolutions of the Bar be spread at large on your records, as a memorial to our children, of our high appreciation of the virtues learning, and eminent character of our departed brother.

The Chief Justice responded as follows:

The Court entirely concurs in the sentiments expressed in the resolutions which have just been read and in the observations of the Attorney General accompanying their presentation.

Before he came to grace a seat upon this Bench, Mr. Justice Matthews had in high public place, political, professional and judicial, acquired eminent distinction, and displayed the qualities which invite attention and command admiration and respect: while as a member of the bar his

conspicuous ability, faithfulness and integrity, had given him a claim second to none. And the felicity was also his of having rendered his country gallant service as a soldier.

He brought here the garnered wisdom of years of varied experience, and constantly added to it the fruit of cultivation in the exalted field of exertion, whose margin faded before him as he moved, growing in strength with exigencies requiring the putting forth of all his powers

In listening, patient and sympathetic, in intercourse with counsel, cordial but dignified: conscientious in investigation: honest and impartial in judgment: full of resource in supporting given conclusions by accurate and discriminating reasoning: ample in learning and comprehensive in scholarship: luminous in exposition and apt in illustration: he demonstrated such fitness for the sphere of action that his removal in the midst of his usefulness cannot but be regarded

as a severe loss to the bar, the judiciary and the country.

To the associates of years of personal companionship in the administration of justice, that loss is quite unspeakable. The ties between those thus thrown into close intimacy are extremely strong, and when one is taken away, upon whose painstaking scrutiny, clearness in explanation and fulness of knowledge, reliance has been justly reposed by his brethren, and whose amenity of temper and kindliness of heart have naturally inspired affection, a keen sense of personal bereavement mingles with the common sorrow.

In view of a life like this, crowned with the success that waits upon absolute devotion to duty, how false the desponding exclamation of the preacher, that "that which now is, in the days to come shall all be forgotten".

The remembrance of the just and wise is with the generations always, and the works of this faithful public servant will follow him "in the days to come" now that he rests from his labors

The Court has heretofore adjourned as a

mark of respect to the memory of the deceased. and attended the funeral ceremonies in Ohio. The resolutions just presented and the remarks of the Attorney General will be spread upon the records, and the tribute of the Bar at St. Louis, which has been transmitted to the Court. and such other commemorative proceedings as may be received, will be placed upon the files with a proper minute in regard to them.

[redacted]

The Schrader Mining & Manufacturing Company vs. Elisha A. Packer. 118. Pff. in Error

On motion of Mr. A. G. Otis with, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

John Churchill, Trustee et al. vs. Walter Farrar, Admr. &c. 123. Appellants.

The motion to dismiss in this cause was submit

ted to the consideration of the Court on the record and printed arguments by Mr. W. Hallett Phillips in support of the same, and Mr. John Mason Brown, Mr. Alexander P. Humphrey and Mr. George M. Davis in opposition thereto.

329. William P. Abendroth vs. Jeff. in Error. Abraham Van Dolsen et al. The argument of this cause was continued by Mr. William H. Arnoux, of counsel for the plaintiff in error and Mr. Carlile Norwood Jr. of counsel for the defendants in error, and concluded by Mr. Arnoux, for the plaintiff in error.

247. Jared E. Reefield vs. Jeff. in Error. William P. Parks et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. P. Clark, of counsel for the plaintiff in error, and Mr. Daniel W. Jones, of counsel for the defendants in error.

The George P. Lunow Lighting & Purifier Company et al. ... vs. ... Appellants.
249. Mary L. J. Mc. Geary et al.

The argument of this cause was commenced by Mr. Joseph Wilby, of counsel for the appellants, & continued by Mr. Thomas Mc. Dougall, of counsel for the appellees.

Peter L. Kimberly ... vs. ... Appellants
169. Charles D. Arms et al.

On consideration of the motion to amend the decree & mandate in this cause, It is now here ordered by the Court, that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. April. 16th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Mc. Dougall it is ordered that Will. H. Moore, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court. Who he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that

William C. Hazledine, Esquire of Albuquerque, Territory of New Mexico be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would cease hearing arguments on the 26th instant and would adjourn from that day until Monday, May, 13th and then adjourn for the term; and also that the Court would adjourn on Thursday of this week until Monday of next week.

The George D. Smith Middlings Purifier Company et al. vs. Appellants
249 Mary L. J. Mc. Groarty et al.

The argument of this cause was continued by Mr. Thomas Mc. Dougall, of counsel for the appellees, and concluded by Mr. J. C. Harper of counsel for the appellants.

William S. Mellen, Trustee et al. Appellants
250 vs.
The Wolmo Wallable Iron Works et al.

This cause was argued by Mr. Thomas McDougall, of counsel for the appellants, and Mr. S. A. Lynde, of counsel for the appellees.

The Des Moines Navigation & Railroad Company and Edwin H. Litchfield, Executor of Edwin C. Litchfield, deceased. Appellants
251 vs.
G. H. Candee.

Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

The Board of County Commissioners of Labette County and the Clerk of said Board, and the Clerk and Treasurer of Labette County.
vs. Pltf. in Error
The United States: ex rel. Clarence G. Moulton.

In Error to the Circuit Court of the United States for the District of Kansas.

252

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs per Mr. Chief Justice Fuller.

George W. Hill
vs. Pff. in Error.
George G. Harding et al.

253

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George W. Brandt, of counsel for the pltff

tiff in error, and Mr. John W. Howe of counsel for the defendants in error.

George W. Peters ..... This cause was
254 v. Appellant ..... submitted to the
The Acker Manufacturing Co ..... consideration of
the Court on the
record and printed arguments by Mr. Will
iam Stubbell Fisher, of counsel for the appellant
& Mr. Arthur Stern of counsel for the appellee.

The County of Scotland The argument of
256 v. Pff. in Error. this cause was
William Hill. commenced by
Mr. H. A. Cunning-
ham, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourn
ed until to-morrow at twelve o'clock.

Wednesday, April 17th, 1872

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford
Lucius L. C. Lamar.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. George F. Edmunds it is ordered that Charles J. Faulkner, Esquire, of Martinsburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Baltimore & Potomac Railroad Company.		In Error to the Supreme Court of the District of Columbia.
1166.		vs	
	Charles R. L. Crown.	Pff. in Error	

This cause having been called to the attention of the Court by Mr. J. J. Hinkle, and he having moved the Court to dismiss the writ of error herein pursuant to a stipulation of counsel for the respective parties. It is therefore in pursuance of said stipulation now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction: on the authority of the decision of this Court in the case of the Baltimore & Potomac Railroad Company vs. Hopkins. No. 1173 on the docket for the present Term.

per Mr. Chief Justice Fuller.

	The Baltimore & Potomac Railroad Company.		In Error to the Supreme Court of the District of Columbia.
1167.		vs	
	Henry M. Knight.	Pff. in Error	

This cause having been called to the attention of the Court by Mr. S. S. Henkle, and he having moved the Court to dismiss the writ of error herein pursuant to a stipulation of counsel for the respective parties. It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction, on the authority of the decision of this Court in the case of the Baltimore and Potomac Railroad Company vs. Hopkins No. 1173 on the docket for the present term.

per Mr. Chief Justice Fuller

1168 The Baltimore and Potomac Railroad Company. Plff. in Error. vs. Charles C. Anderson. In Error to the Supreme Court of the District of Columbia.

This cause having been called to the attention of the Court by Mr. S. S. Henkle and he having moved the Court to dismiss the writ of error herein, pursuant to a stipul

tion of counsel for the respective parties. It is therefore, in pursuance of said stipulation, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction on the authority of the decision of this Court in the case of the Baltimore and Potomac Railroad Company v. Hopkins, No. 1173 on the docket for the present term.

per Mr. Chief Justice Fuller.

The Baltimore & Potomac Railroad Company. vs. Mary H. Rowland. — In Error to the Supreme Court of the District of Columbia.

1167. Plff. in Error

This cause having been called to the attention of the Court by Mr. S. S. Henkle and he having moved the Court to dismiss the writ of error herein pursuant to a stipulation of counsel for the respective parties. It is therefore in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want

of jurisdiction, on the authority of the decision of this Court in the case of the Baltimore and Potomac Railroad Company vs. Hopkins, No. 1173 on the docket for the present Term.

per Mr. Chief Justice Taney.

The Baltimore & Potomac Railroad Company.		In Error to the Supreme Court of the District of Columbia.
1170.	vs. Plff. in Error	
Elizabeth Strobel.		

This cause having been called to the attention of the Court by Mr. S. S. Henkle, and he having moved the Court to dismiss the writ of error herein, pursuant to a stipulation of counsel for the respective parties. It is, therefore in pursuance of said stipulation now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction, on the authority of the decision of this Court in the case of the Baltimore and Potomac Railroad Company vs. Hopkins,

No. 1173 on the docket for this term.
per Mr. Chief Justice Fuller.

The Baltimore & Potomac Railroad Company		In Error to the Supreme Court of the District of Columbia
1171	vs. Plff. in Error	
William Weizy.		

This cause having been called to the attention of the Court by Mr. S. S. Henkle and he having moved the Court to dismiss the writ of error herein, pursuant to a stipulation of counsel for the respective parties, It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction, on the authority of the decision of this Court in the case of the Baltimore and Potomac Railroad Company vs Hopkins, No. 1173 on the docket for the present term,
per Mr. Chief Justice Fuller.

	The Baltimore & Potomac Railroad Company.	In Error to the Supreme Court
172	vs.	Plff. in Error of the District
	Sarah C. Richards.	of Columbia.

This cause having been called to the attention of the Court by Mr. I. I. Hankle, and he having moved the Court to dismiss the writ of error herein pursuant to a stipulation of the respective parties, It is therefore in pursuance of said stipulation now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction on authority of the decision of this Court in the case of The Baltimore & Potomac R. R. Co. vs Hopkins, No 1173 on the docket for the present term.

per Mr. Chief Justice Fuller

166 The Baltimore & Potomac R R Co Plff in Error vs Chas B L Crown

167 " " " " " " " " " " " " " " Henry M Knight

168 " " " " " " " " " " " " " " Chas C Anderson

169 " " " " " " " " " " " " " " Mary H Rowland

170 " " " " " " " " " " " " " " Elizabeth Strobel

1171 The Baltimore & Potomac R.R. Co. Pff. in Error vs. William Hutzler
1172 " " " " " " " " " " " " Sarah C. Richards
1173 " " " " " " " " " " " " D. A. Hopkins

On motion of Mr. S. T. Hinkle leave is hereby granted the Clerk to issue the mandates in these cases.

255. The County of Scotland vs. Pff. in Error. William Hill. The argument of this cause was continued by Mr. D. T. Hughes, of counsel for the defendant in error, and concluded by Mr. H. A. Cunningham, of counsel for the plaintiff in error.

256. J. P. Dunlap vs. Pff. in Error. The North Eastern R.R. Co. This cause was argued by Mr. Hoke Smith, of counsel for the plaintiff in error, and Mr. Pope Barrow, of counsel for the defendant in error.

	The National Weather Guster Company.	Appeal from the Circuit Court of
258.	vs. Appellant.	the United States
	The Dearborn Weather Guster Company et al.	for the Northern District of Illinois.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 15th rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	Jerome C. Daft.	Appeal from the Circuit
259.	vs. Appellant.	Court of the United
	Hanson Stere et al.	States for the District of Rhode Island.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon,

in pursuance of the 10th rule of this Court, it is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Frank B. Andrus.
260 vs. Pff. in Error
The St. Louis Smelting and Refining Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. A. Green, of counsel for the plaintiff in error, and Mr. Charles E. Gast, of counsel for the defendant in error.

Seth A. Coule et al
268 vs. Appellants
John C. Park et al.

This cause was argued by Mr. Henry A. Monell of counsel for the appellants. No counsel appeared for the appellees.

The Quebec Steamship Co.
264 vs. Pff. in Error
Barbara Merchant.

The attention of the Court having been called to the fact that the question to be argued in this case is similar to that

involved in the case of Payne, Plff. in error vs. The Union Pacific Ry. Co. No. 48 on the present docket, and that case having been passed for a full bench, It is ordered that this cause be passed for the present

per Mr. Chief Justice Fuller.

265 Nathan A. Thompson Appellant vs Alfred H. Hubbard
271 Alfred H. Hubbard. Appellant. vs Nathan A. Thompson

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. John B Henderson, of counsel for Thompson, and Mr. J. R. Lysaker, Mr. S M. Breckenridge and Mr. John L. Johnson, of counsel for Hubbard.

David Freeland.
267 vs Plff. in Error
Joseph U. Williams

The argument of this cause was commenced by Mr. W. L. Cole, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 18th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson, it is ordered that W. W. Wiltshire Jr., Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Mitchell it is ordered that

John B. Allen, Esquire, of Walla Walla, Territory of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Fritz Menken
vs. Pff. in Error
The City of Atlanta.

In Error to the Supreme Court of the State of Georgia.

6774

The death of Fritz Menken, the plaintiff in error in this cause having been suggested by Mr. Pope Barrow in behalf of Mr. Hoke Smith, of counsel for the said plaintiff in error, and it appearing to the Court that this is a criminal case, it is considered by the Court that this cause has abated.

Therefore, It is ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

Andrew Catlon
vs. Pff. in Error.
The People of the Territory of Utah.

On motion of Mr. J. H. Mitchell, of counsel for the plaintiff in error,

1408

Leave is hereby granted the Clerk to issue the mandate in this cause.

David Freeland. The argument of
467 v. Pff. in Error. this cause was
Joseph V. Williams continued by Mr.
Robert White, and
Mr. Charles J. Faulkner, of counsel for the defendant in error, and concluded by Mr. W. L. Cole, of counsel for the plaintiff in error.

Ex-parte: In the matter The argument of
of Hans Nielsen. this cause was
1527 Appellant commenced by
Mr. J. M. Wilson,
of counsel for the appellant, and continued by Mr. Solicitor General Jenks, of counsel for the United States.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. April, 22d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Levi Ritter, Esquire, of Indianapolis, and L. M. Stockslager, Esquire, of Corydon, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Isaac Marlow it is ordered that John D. Conly, Esquire, of Detroit, & William R. Gibson, Esquire, of Jackson, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Freeman it is ordered that J. A. Anderson, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. McBride it is ordered that Lyttleton Price, Esquire, of Hailey, Territory of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. H. Porter, it is ordered that E. W. Frazer, Esquire, of Memphis, State of Tennessee, be admitted to practice as an at-

torney and counsellor of this Court and he was sworn accordingly.

John Symmott vs Joseph M. Burkett. Administrator of Peter Welch, deceased. 176 ——— vs. ——— Appellants. Michael Shaughnessy.

Appeal from the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

William S. Hassall, Trustee 68. ——— vs. ——— Appellant. A. W. Wilcox

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to allow a re-examination of the claim of Wilcox, before a master, on the same and further proofs, if desired.

per Mr. Justice Blatchford.

215. J. B. Hurlbut, ... Appeal from the
vs. Appellant. ..... Circuit Court
John J. Schillinger and Olive J. Salisbury, Administratrix of Elmer J. Salisbury, deceased. ..... of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Northern Dis
trict of Illinois and was argued by coun
sel. On consideration whereof, It is
now here ordered, adjudged and decreed
by this Court, that the decree of the said
Circuit Court, in this cause, be, and the
same is hereby, affirmed with costs and
interest, until paid, at the same rate per
annum that decrees bear in the Courts of
the State of Illinois.

per Mr. Justice Blatchford.

Jesse B. Wilson, Receiver
of J. A. Lanier & Company
145 vs. Appellant.
James B. Edmonds.

Appeal from the
Supreme Court
of the District
of Columbia

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the District of Columbia and was
argued by counsel. On consideration
whereof, It is now here ordered, adjudged
and decreed by this Court, that the decree
of the said Supreme Court, in this cause
be, & the same is hereby, affirmed with costs.

The United States

723. vs. Appellant.

Joseph W. Cumming and Hamilton J. Miller, surviving partners of the late firm of J. W. Cumming and Co. Appeals from the Court of Claims.

And

Joseph W. Cumming and Hamilton J. Miller, surviving partners of the late firm of J. W. Cumming and Co.

724. vs. Appellants.

The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to render judgment in favor of The United States

per Mr. Justice Harlan

Dissenting:
Mr. Justice White and
Mr. Justice Gray.

The Union Trust Company of New York. Appellant.
vs.
The Southern Inland Navigation and Improvement Company and The Trustees of the Internal Improvement Fund of the State of Florida.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

191.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

	John Haskell Butler, Admrs.	Appeal from the
	Trustee: Nathaniel Beach, Eliza-	Circuit Court of
	beth S. Beach & Anna Beach.	the United States
344	vs. Appellants.	for the District
	The Boston and Savannah	of Massachus-
	Steamship Company.	etts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed, with costs.

per Mr. Justice Bradley.

	John Haskell Butler, Admrs-	Appeal from the
	trators: Nathaniel Beach, Eliza-	Circuit Court of
	beth S. Beach & Anna Beach.	the United States
340	vs. Appellants.	for the District
	The Boston & Savannah	of Massachus-
	Steamship Company.	etts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration, whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Bradley.

George O. Huling and Lucy E. Huling. vs. The Kaw Valley Railway and Improvement Company. — Pffs. in Error — In Error to the Circuit Court of the United States for the District of Kansas.

230.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

---Order.---

It is now here ordered by the Court that Rule 57 of the Rules of Practice in Admiralty be, and the same is hereby, amended so as to read as follows:

57.

The said libel or petition shall be filed and the said proceedings had in any District Court of the United States in which said ship or vessel may be libeled to answer for any such subsequent loss, destruction, damage, or injury: or, if the said ship or vessel be not libeled, then in the District Court for any district in which the said owner or owners may be sued in that behalf. When the said ship or vessel has not been libeled to answer the matters aforesaid, and suit has not been commenced against the said owner or owners, or has been commenced in a district other than that in which the said ship or vessel may be, the said pro-

cedings may be had in the District Court of the District in which the said ship or vessel may be, and where it may be subject to the control of such court for the purposes of the case as hereinbefore provided. If the ship have already been libeled and sold, the proceeds shall represent the same for the purposes of these rules.

John Churchill, Trustee et al. vs. Appellants
123 Walton Harvar, Admr. etc. It is ordered by the Court that the further consideration of the motion to dismiss in this case be, and the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Chief Justice Fuller

Hallett Kilbourn, James W. Lum & Jno. F. Dunston vs. Appellants
188 Mary A. Sunderland, Executrix of Thomas Sunderland, deceased, and Curtis J. Hillyer

Mary A. Sunderland, Executrix of Thomas Sunderland, deceased, and Curtis J. Hillyer vs. Appellants
261

Hallett Kilbourn, James W. Latta & John D. Olmsted

and

Mary A. Sunderland, Executrix of Thomas Sunderland, deceased. Appellant.

263 vs.

Hallett Kilbourn, James W. Latta & John D. Olmsted.

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia & was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed except in so far as it fails to allow in favor of the Executrix of Thomas Sunderland and Curtis J. Hillyer, & against James W. Latta, the sum of $1235.77 with interest from August 7, 1878. and also to allow in favor of the Executrix of Thomas Sunderland, and against Hallett Kilbourn, James W. Latta and John D. Olmsted the sum of $2786.66 with interest from Decem-

ber. 13. 1876. and in respect to the non-allowance of said two sums said decree is reversed upon the appeals of said Executrix and Curtis J. Hillyer, and said Executrix, respectively, costs in this Court to be paid by said Kilbourn, Latta and Olmstead: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree modified by the addition of said sums and interest

per Mr. Chief Justice Waite

Dissenting:

Mr. Justice Field.

369 The United States vs. Walter G. Watson. Appellant. On motion of Mr. W. W. Warden of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

169 Peter L. Kimberly. vs. Charles A. Arms et al. Appellant. On motion of Mr. A. H. Garland, leave is hereby granted the

Clerk to issue the mandate in this cause.

	The Arkansas Valley Land & Cattle Company (Limited)	On motion of Mr. W. A. Maury of counsel for the plaintiff in error, leave is
1147	vs. Pff. in Error	
	Jeremiah J. Mann.	

hereby granted the Clerk to issue the mandate in this cause.

	Ex parte: In the matter of Thomas J. Buddy.	Mr. J. A. Anderson of counsel for the appellants, submitted to the consideration
1552	Appellant	
	And	of the Court a motion to advance these
	Ex-parte: In the matter of Alejandro Lavin	
1553	Appellant	cases.

	The Louisville City Railway Company.	Appeal from the Circuit Court of the United States for the District of Kentucky.
1706	vs. Appellant.	
	The Central Passenger Railroad Company.	

This cause having been called to the attention

of the Court by Mr. John Mason Brown of counsel for the appellee, and a Stipulation now to dismiss this cause having been filed, It is therefore, in pursuance of said Stipulation now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

7. The American Railway Improvement Company vs. Seymour O. Carpenter and Smith H. Mallory, composing the firm of Carpenter and Mallory.

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a Stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said Stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is here

by, dismissed with costs.

per Mr. Chief Justice Fuller.

Freeman A. Pfister, Marion W. Pfister & Thomas W. Pfister vs. The Union Trust Company

Appeal from the Circuit Court of the United States for the District of Minnesota.

332. Appellants.

This cause having been called to the attention of the Court by Mr. William A. McKenney, on behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Chris. Bown. vs. D. W. McLane.

In Error to the Supreme Court of the State of Iowa.

731. Pff. in Error.

This cause having been called to the attention of the Court by Mr. William A. Mc.

Kenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

761. Elijah Rooke and Elijah Norton, partners under the firm name of E. Rooke and Co. vs. H. D. Shrewsbury, Jacob D. Shrewsbury and Walter C. Shrewsbury.

Appeal from the District Court of the United States for the District of West Virginia.

This cause having been called in the usual course of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this

appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1551 Charles H. Prescott and Isaac Hendricks, vs. John W. Adams. Pelp. in Error

Mr. William A. McKenney of counsel for the defendant in error having filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States for the Western District of Pennsylvania.

I, H. D. Gamble, Clerk of the Circuit Court of the United States for the Western District of Pennsylvania, do hereby certify that in a certain cause pending in said Court, wherein John W. Adams was plaintiff and Charles H. Prescott and Isaac Hendricks were defendants, a final judgment was rendered by the said Circuit Court on the 30th day of December, A.D. 1886, in favor of said plaintiff and against said defendants, and that on the 7th day of March, A.D. 1887, said defendants sued out a writ of error to said Circuit Court, directed to remove said cause

to the Supreme Court of the United States.

In testimony whereof, I have
unto subscribe my name
and affix the seal of said
{ Seal. } Circuit Court at Pittsburgh,
Pennsylvania this 15th day
of April, A.D. 1889.

H. D. Gamble
Clerk U.S. Circuit Court.

moved the Court to docket and dismiss this cause, pursuant to the 9th. rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Western District of Pennsylvania be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded according to law and justice.

per Mr. Chief Justice Fuller.

1534 Charles H. Prescott et als. vs. John M. Adams. Pffs. in Error. On motion of Mr. William A. McKenney of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause

947 Thomas M. Nelson et al. vs. Astabel Green &c. Appellants Board, Trustees et al. and

1027 Thomas M. Nelson vs. Astabel Green &c. Appellant Board, Trustees et al. The motion for an order directing the Clerk to refund to Thomas M. Nelson the sum of $1450.00 deposited by him pursuant to the order of this Court entered on the 11th day of January, 1889, was submitted to the consideration of the Court by Mr. William A. McKenney, in support of the same and Mr. Duane E. Fox in opposition thereto.

The District of Columbia et al. Appellants. vs. John H. Brewer. 1431

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Willoughby and Mr. A. L. Merriman, in support of the same

Ezra D. Gritts et al. Pltf. in Error. vs. George W. Palmer. 338

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph Shippen, in support of the same, and Mr. L. C. Rockwell in opposition thereto.

Ex parte: In the matter of Hans Nielsen. Appellant. 1527

The argument of this cause was continued by Mr. Solicitor General Jenks, of counsel for the United States, and concluded by Mr. P. S. Richards of coun

sel for the appellant.

William J. Hawkins. The argument of
266 vs. Pff. in Error. this cause was com
John Wm. Fowler, &c. menced by Mr. S.
G. Phillips, of counsel
for the plaintiff in error, and continued by
Mr. W. D. Boyle, by special leave of the Court,
on behalf of the plaintiff in error.

Proclamation being made the Court is adjourn-
ed until to-morrow at twelve o'clock.

Tuesday April 23d 1889.

Pursuant to Adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices.
Horace Gray
Samuel Blatchford
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is ordered that George F. Denis, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

294 The Baltimore & Ohio Railroad Company. vs. William Sutherland. Pff. in Error

The attention of the Court having been called to the fact that the same questions are involved in this case as in Nos 48 and 264 of the present docket, the case will be passed for the present.

per Mr. Chief Justice Fuller.

1552 Ex parte: In the matter of Thomas J. Cuddy. Appellant

and

1553 Ex-parte: In the matter of Alejandro Savin. Appellant.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cases assigned for argument on Thursday, the 25th instant, counsel for each side to be allowed one hour each for argument.

per Mr. Chief Justice Fuller.

	G. A. Wilde	Mr. J. H. Mc. Govan
1364	vs. Pff. in Error.	of counsel for the
	David Bircher et al.	defendants in error,

stated to the Court that the parties have failed to agree as to the appointment of a commissioner to take certain testimony as provided by the order of this Court entered in this cause on the 8th. instant, and submitted to the Court the names of James W. Abbott, William A. Sherman and George C. Pierce, any one of whom, if appointed by the Court as Commissioner under the terms of said order, would be satisfactory to the defendants in error. Whereupon the Court, not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

	William J. Hawkins	The argument of
266	vs. Pff. in Error.	this cause was
	John Ehrman, Trustee &c.	continued by

Mr. W. G. Boyle, by special leave of Court on behalf of the

plaintiff in error, and Mr. John Howard and Mr. Charles Marshall of counsel for the defendant in error, and concluded by Mr. S. F. Phillips, of counsel for the plaintiff in error.

268. The United States vs Pff. in Error Bradley Barlow et al.

On motion of Mr. Assistant Attorney General Mary, It is ordered by the Court that this cause be, and the same is hereby, continued until next term.

270. The Frankfort & St. Louis Railroad Company vs. Appellant. Edward G. Lovard, The Toledo, Cincinnati & St. Louis Railroad Company et al.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause having been called for hearing in its regular order, and the authority of the appellant to dismiss this cause having been filed. It is therefore, in pursuance of said authority now here ordered, adjudged and decreed by this Court, that this appeal

be & the same is hereby dismissed with costs.
per Mr. Chief Justice Fuller.

William A. Pook and
Edgar L. Ferguson
vs. Appellants
The T. C. Richards Hard-
ware Company.

Appeal from the
Circuit Court of
the United States
for the District
of Connecticut.

This cause having been called for hearing
in its regular order, and a stipulation
to dismiss this cause having been filed, It
is therefore, in pursuance of said stipu
lation, now here ordered, adjudged and
decreed by this Court that this appeal be, &
the same is hereby dismissed with costs
per Mr. Chief Justice Fuller

George G. Deuel et al.
269 vs. Appellants
Isaac A. Ferguson et al.

The argument of
this cause was com
menced by Mr. D.
A. Poston, of coun
sel for the appellants.

Proclamation being made the Court is adjourn

Wednesday. April 24th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire. Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. B. Lancaster it is ordered that George H. Craig, Esquire, of Selma, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Jenks it is or-

dered that John G. Sears, Esquire, of Oswego, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George G. Scott et al.
269 ——vs.—— Appellants
Isaac A. Ferguson et al.

The argument of this cause was continued by Mr. G. B. Edgington, of counsel for the appellees, and concluded by Mr. T. B. Turley, of counsel for appellants.

W. W. Crehore
272 ——vs.—— Plff. in Error.
The Ohio & Mississippi Railway Company.

The argument of this cause was commenced by Mr. John Mason Brown, of counsel for the plaintiff in error. The Court declined to hear further argument.

W. W. Crehore.
272 vs. Plff. in Error.
The Ohio & Mississippi Railway Company.

In Error to the Circuit Court of the United States for the District of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the case to the State Court.

per Mr. Chief Justice Fuller.

The United States
273 vs Pff. in Error.
John L. Haynes et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Lamar, of counsel for the plaintiff in error, and Mr. Charles W. Ogden of counsel for the defendants in error.

George L. Smith, J. Hayes and Mrs. L. S. Amy.
275 vs. Appellants
A. Overton.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Henry Wagner, Ed. Murlock and O. C. Bloomer
276 vs. Appellants
J. G. Lemon, E. O. McCreary, G. W. Crofts, A. T. Bales
vs. A. Overton.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause being called for hearing in its

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller

277. Calvin Young, William B. Barber & William P. Allen & Frederick T. Allen, Executors of William Allen, deceased. vs. Charles L. Sheldon & Edward O. Brainard Sheldon, surviving partners of the firm of Sheldon & Company. Appellants. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is

hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

278 Jesse Spalding, Collector etc. vs. Plff. in Error. Louis Wanasse. And

279 Jesse Spalding, Collector etc. vs. Plff. in Error. Louis Wanasse

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. Percy L. Shuman, of counsel for the defendant in error.

280 Jesse Spalding, Collector etc. vs. Plff. in Error. Joseph Vanacker. And

281 Jesse Spalding, Collector etc. vs. Plff. in Error. Joseph Vanacker.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Solicitor General Jenks

of counsel for the plaintiff in error, and Mr Percy L. Plumman of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday April 26th 1883

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. L. Cole it is ordered that Robert Allen jr. Esquire, of Red Bank, Monmouth County, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Solicitor General Jenks it is ordered that A. H. Winterstein, Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Van H. Manning, it is ordered that Thomas Marshall Miller, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

372. W. W. Crehore, Plff. in Error, v. The Ohio & Mississippi Railway Company. Mr. Lawrence Maxwell Jr. of counsel for the defendant in error, submitted to the consideration of the Court a motion to modify the judgment entered by this Court in this cause.

291. The Pennsylvania R.R. Co., Plff. in Error, v. George R. Duncan. On motion of Mr. A. H. Winterstein of coun-

sel for the plaintiff in error. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Ex parte: In the matter of Thomas J. Priddy
1552 ..... Appellant.
vs
Ex-parte: In the matter of Alejandro Saviw.
Appellant.

These cases were argued by Mr. J. A. Anderson, of counsel for the appellants. vs Mr. George J. Denis of counsel for the United States.

Jesse Spalding, Collector etc.
282. vs Plff. in Error
S. Yamada.

This cause was argued by Mr. Solicitor General Jenks, of counsel for the plaintiff in error vs Mr. Percy L. Sturgis, of counsel for the defendant in error

Jesse Spalding. Collector, etc.
283. vs Plff. in Error.
George F. Stodder et al.

It is ordered by the Court that this cause be

and the same is hereby, continued until the next term, per stipulation of counsel.

Jesse Spalding, Collector, etc., Plff. in Error.
284 vs.
John W. Farwell et al.

This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. Percy L. Shuman, of counsel for the defendants in error.

Jesse Spalding, Collector, etc. Plff. in Error.
285. vs.
Lewis Colm et al.

This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error and Mr. Percy L. Shuman, of counsel for the defendants in error.

The Republican Valley Railroad Company. Plff. in Error.
286. vs.
The State of Nebraska ex rel: Frank W. Watson vs William C. Hill.

In Error to the Supreme Court of the State of Nebraska.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, upon, on pursuance of the 15th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

287. James Reid Stewart, vs. Appellant. Grauch D. Masterson.

Mr. L. L. Hewitt of counsel for the appellee, moved the Court that this case be stricken from the docket for want of proper compliance with the order of this Court entered herein on January, 30th, 1888, which motion was opposed by Mr. C. C. Lancaster, of counsel for the appellant. Whereupon, It is ordered by the Court that counsel proceed with the argument of the case, the motion to be considered with the merits.

James Reid Stewart.
287. vs. Appellant
Branch & Wasserow.

This cause was argued by Mr. P. C. Lancaster, of counsel for the appellant and Mr. L. L. Hukle, of counsel for the appellee.

Joseph E. Young.
288. vs. Appellant
The Township of Clarendon et al.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by agreement of counsel in open Court.

Augustus Day.
290. vs. Appellant
The Fair Haven and Westville Railway Company.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by agreement of counsel in open Court.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 26th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1370 Brigido Bottiller et al vs. Pltffs. in Error. Mr. A. H. Garland in behalf of counsel for the defendant in error, Dominga Dominguez.

submitted to the consideration of the Court a motion to recall the mandate in this cause until the next term and for leave to file a petition for a rehearing at that term.

James Reid Stewart.
287. vs. Appellant.
Branch T. Masterson.

This cause was argued by Mr. P. C. Lancaster, of counsel for the appellant and Mr. J. L. Hinkle, of counsel for the appellee.

Joseph E. Young.
288. vs Appellant
The Township of Clarendon et al.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by agreement of counsel in open Court.

Augustus Day.
290. vs. Appellant
The Fair Haven and Westville Railway Company.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by agreement of counsel in open Court.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. April. 26th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. P. Lamar.
John M. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

Brigido Bouller et al vs. Plffs. in Error
1370 Domingo Dominguez.

Mr A. H. Garland in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to withhold the mandate in this cause until the next term and for leave to file a petition for a rehearing at that term.

740 J. B. Anderson, Admr. et al vs. James L. Walls, Executor et al. Appellants. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. James Lowndes, in support of the same, and Mr. J. Hubley Ashton, in opposition thereto.

68. William L. Hassall, Trustee. vs. A. W. Wilcox. Appellant. On motion of Mr. W. Hallett Phillips, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

755 J. W. Wolfe. vs. Andrew Peters. Appellant. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. S. W. Taylor, in support of the same, and Mr. John W. Cary, in opposition thereto.

Ex-parte: In the matter of Hollon Parker.
5. Original ——— Petitioner

This case was submitted to the consideration of the Court on the record and printed arguments by Mr. John H. Mitchell, of counsel for the petitioner, and Mr. W. W. Upton, Mr. C. B. Upton, Mr. John B. Allen and Mr. B. L. Sharpstein, of counsel for the respondent.

Charles Marchand.
292 vs. Appellant.
Frederick Ewken.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Emile Comely.
293 ——vs—— Appellant.
Freeman O. Marckward.

This cause was argued by Mr. William A. Cowan, of counsel for the appellee, No counsel appeared for the appellant.

	The Board of Commissioners of Delaware County, Indiana	This cause was submitted to the consideration of the Court on the record and printed ar-
295.	vs Plff. in Error	
	The United Safe & Lock Company et al.	

guments by Mr. A. C. Harris and Mr. W. H. Calkins of counsel for the plaintiff in error, and Mr. Levi Ritter, of counsel for the defendants in error.

	Louis Mette & George Kraus	This cause was submitted to the consideration of the Court on the
296.	vs. Plff. in Error.	
	Daniel L. McCluskin.	

record and a printed argument by Mr. Jeff. Chandler, of counsel for the plaintiffs in error, no printed argument being filed on behalf of the defendant in error.

	The City of Evansville	In Error to the Circuit Court of the United States for the District of Indiana
298.	vs Plff. in Error.	
	Augustus G. Foote.	

This cause being called for hearing in its

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, that the writ of error in the cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

299 The City of Evansville vs. The Augusta Savings Bank. Pff. in Error. In Error to the Circuit Court of the United States for the District of Indiana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The St. Louis & San Francisco Railway Company.
300 ..... vs. ..... Appellant
Walter S. Johnston.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

L. W. Palmer.
302 vs. Plff. in Error.
E. D. Arthur.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter Evans, of counsel for the plaintiff in error, and Mr. William Lindsay of counsel for the defendant in error.

B. W. Keyser, Receiver etc.
303 vs. Plff. in Error
Jane C. Hitz.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Proclamation being made the Court is adjourned until Monday, May, 13th. at twelve o'clock.

Monday, May 13th, 1889

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Attorney General it is ordered that James H. Sprigg, Esquire, of Quincy, State of Illinois and Benjamin M. Willoughby, Esquire, of Lawrenceburg, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that P. L. Gourdy, Esquire, of New Orleans, State of Louisiana, and George E. Mc Mahon, Esquire, of Anthony, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Wilson it is ordered that Talbot H. Wallis, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Dean it is ordered that Thomas Storrs, Esquire, of Ogden, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Randall Hagner it is ordered

that Philip R. Voorhis Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. B J. Hall it is ordered that L. O. Palmer, Esquire, of Mt. Pleasant, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court on this behalf by Mr. Solicitor General Jenks it is ordered that William A. Day, Esquire, of Champaign, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Wm. G. Morris it is ordered that Walter S. Westerman, Esquire, of Adrian, State of Michigan, James A. Hudson, Esquire, of New York City, and L. B.

Southard, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorney and counsellor of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Marble, it is ordered that J. A. Gallaher, Esquire, of Bellaire, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that Francis E. Macnamara, Esquire, of Corpus Christi, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that W. H. Singleton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George Allman. Appeal from the
214. vs. Appellant. Court of Claims
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Lamar.

David Bacon, Francis Wi. In Error to the Ci-
Stes &c John A. Montague cuit Court of the
173. vs. Plffs. in Error United States for
The Northwestern Mutual Life the Western Dis-
Insurance Company. trict of Michigan.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Lamar.

William P. Arendrath. In Error to the
229 vs. Pff. in Error City Court of
Abraham Van Nolan and New York.
William H. Arndt.

This cause came on to be heard on the transcript of the record from the City Court of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said City Court in this cause be, & the same is hereby affirmed with costs

per Mr. Justice Lamar.

234. J. Purpoil Morgan. Pff. in Error. vs. Thomas Struthers Def. in Error. } In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration, whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, and to take such further proceedings as shall be consistent with the opinion of this Court.

per Mr. Justice Lamar.

The Board of County Commissioners of the County of Lake.		In Error to the Circuit Court of the United States for the District of Colorado.
1265.	vs	
Benjamin Graham.	Pff. in Error	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a judgment for the defendant.

per Mr. Justice Lamar.

The Board of County Commissioners of the County of Lake		In Error to the Circuit Court of the United States for the District of Colorado.
1347	vs	
Frank W. Rollins.	Pff. in Error	

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the District of Colorado and was argued by counsel. On consideration whereof. It is now hereordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment for the defendant.

per Mr. Justice Lamar.

247 Jared D. Redfield. vs. Wm. P. Parks et al. Pltf. in Error.

It is now hereordered by the Court that a writ of certiorari may issue in this case if applied for by the plaintiff in error, to bring into this Court the papers mentioned in its opinion.

per Mr. Justice Blatchford.

George W. Peters.
254 v. Appellant
The Acme Manufacturing Company.
Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Nathan D. Thompson.
265 vs. Appellant.
Alfred A. Hubbard.
And.
Alfred A. Hubbard.
271 v. Appellant.
Nathan D. Thompson.
Appeals from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of Wisconsin, on appeal & cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed, each party to pay one-half of all the costs in this Court: and that this cause be, & the same is hereby, remanded to the said Circuit Court with direction to dismiss the original bill and the cross-bill, with costs in the Circuit Court to neither party.

per Mr. Justice Blatchford.

The United States Mutual Accident Association
vs.
Theresa A. Barry.

240.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr. Justice Blatchford.

728. W. H. Coler, Jumor, Plff. in Error, vs. The City of Cleburne. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

James Reid Stewart
287 vs. Appellants.
Branch G. Masterson.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to overrule the second demurrer of Masterson &c. to take such further proceedings as shall be inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

Emile Coroly.
293 vs. Appellant.
Freeman D. Wardwell.

Appeal from the Circuit Court of the United States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

11. The Pittsburgh, Cincinnati & St. Louis Railway Company. Appellant. vs. The Keokuk and Hamilton Bridge Company. And The Pennsylvania Railroad Company. Appellant. vs. The Keokuk and Hamilton Bridge Company. Appeals from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

per Mr. Justice Gray.

(Mr. Chief Justice Fuller and the late Mr. Justice Matthews having been of counsel took no part in the consideration or decision of this case).

The District of Columbia. Appeal from the
55. vs. Appellant. Court of Claims.
Thomas W. Cornell.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consid-

eration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, reversed to the said Court of Claims with directions to enter judgment for the defendant.

per Mr. Justice Gray.

Richard T. Kennon

178 vs. Pff. in Error

John T. Kilmer, Orange S. Salisbury & Monroe Salisbury. In Error to the Supreme Court of the Territory of Montana.

And

John T. Kilmer, Orange S. Salisbury and Monroe Salisbury.

203. vs. Pffs in Error.

Richard T. Kennon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, on writ of error and cross writ of error and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

ww this cause be, and the same is hereby, reversed, each party to pay half the expense of printing the record and other costs in this Court: and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray.

Sarah M. Jones. Appeal from the
vs. Circuit Court
Matilda A. VanDoren, Samuel of the United
J. Jones & Samuel J. Glover. States for the
District of
Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is

hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer to the amended bill, and to take further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Gray.

The Michigan Insurance Bank. vs. Augustus Eldred. — Pff. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

339

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to set aside

The verdict and to order a new trial.

per Mr. Justice Gray.

253. George W. Hill. vs. Plff. in Error. George P. Harding, Lawrence J. J. Mason and William H. Barnum. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, & the same is hereby, affirmed with cos.

per Mr. Justice Gray.

273. The United States vs. Plff. in Error. John L. Haynes, Wiffing Kennedy, Mrs. Richard King and Francisco Yturria. In Error to the Circuit Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

Ex parte: In the matter of Alejandro Sarvis. Appellant. Appeal from the Circuit Court of the United States for the Southern District of California.

1553

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Ex parte: In the matter of Thomas J. Cuddy. Appellant.

1552

Appeal from the Circuit Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Nelson,

G. W. Embrey. vs. Jeff. in Error. E. J. Jemison.

235

In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Nelson.

William S. Wellen, Trustee, for the use of Sophia H. Boyd, &c Sophia H. Boyd.

vs. Appellants,

The Wilmington Manufacturing Iron Works, Charles P. Hennessey, Sullivan W. Wheelock, Stephen G. Walker, Anastatia E. Carson & Jeremiah J. Keator & Ann B. Keator late partners as J. J. Keator and Son.

Appeal from the Circuit Court of the United States for the North ern District of Illinois.

250

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Reuben P. Segrist, Lim Holstine, Benjamin Hoops and Frank E. Bell.

vs.

William B. Gratiot.

In Error to the Supreme Court of the Territory of New Mexico.

1165 Plffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that

similar judgments bear in the Courts of the Territory of New Mexico.

per Mr. Justice Harlan.

W. W. Crehore
272 vs. Pff. in Error
The Ohio & Mississippi Railway Company.

On consideration of the motion to modify the judgment entered herein by this Court, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan.

The United States.
1103 vs. Appellant.
Carrie Jones.

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this

cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the original petition or bill.

per Mr. Justice Bradley.

Dissenting:
Mr. Justice Miller and
Mr. Justice Field.

The United States. Appeal from the Circuit
1102. vs. Appellant. Court of the United States
Henry Daubenheimer. for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss

the original petition or bill.

per Mr. Justice Bradley.

Dissenting.

Mr. Justice Miller and

Mr. Justice Field.

The United States.		Appeal from the Circuit
1489.	vs.	Appellant.	Court of the United States
James B. Montgomery.			for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the original petition or bill.

per Mr. Justice Bradley

Dissenting.

Mr. Justice Miller

Mr. Justice Field

1061. The United States, vs. Harrison C. Drew. Plff. in Error, In Error to the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the original petition or bill.

per Mr. Justice Bradley.

Dissenting:

Mr. Justice Miller and

Mr. Justice Field.